

HALL, GILLIGAN, ROBERTS & SHANLEVER, LLP
Investigative Report

TO: Walton County Board of County Commissioners;
Clay Atkinson, Acting County Attorney; and
Stan Sunday, County Administrator.

FROM: Dave Roberts, Florida Managing Partner
Hall, Gilligan, Roberts & Shanlever, LLP

SUBJECT: INVESTIGATION OF REPORTS AND COMPLAINTS CONCERNING
HUMAN RESOURCES DEPARTMENT

DATE: AUGUST 29, 2024

I. BACKGROUND AND TOPICS OF INVESTIGATION

A. Background

Hall, Gilligan, Roberts & Shanlever, LLP (“HGRS”) is a law firm maintaining offices in Georgia and Florida, including in Walton County, that largely focuses its practice on employment law matters. HGRS has been retained by the Walton County Board of County Commissioners (“BCC”), by and through Acting County Attorney Clay Adkinson, to conduct various investigations regarding County employment-related issues. HGRS has also been tasked with providing legal analysis, opinions, and recommendations related to the requested investigations (collectively, the “Services”).

On May 31, 2024, Mr. Adkinson contacted the undersigned to request Services regarding a report of a potential improper relationship between Chief Human Resources Officer Nathan Kervin and Human Resources Generalist¹ Tina McHenry that was initiated by Human Resources Manager Shannon Jackson (the “Jackson Report”). Ms. Jackson was informed of the potential improper relationship by Mr. Kervin’s estranged wife (it is understood that the Kervin’s are separated). HGRS was initially tasked with investigating and rendering a legal analysis, opinion and recommendation as to whether there was/is an improper relationship between Mr. Kervin and Ms. McHenry, and whether Ms. McHenry’s recent promotion and past pay raises were proper and in accordance with the BCC’s Human Resources Policy Manual (the “Policies”).

Additionally during the course of the aforementioned investigations, HGRS was made aware of alleged complaints made by former Walton County Human Resources Generalist Gladys Goodson against Mr. Kervin and the Human Resources (“HR”) Department (the “Goodson Complaints”) - specifically that Mr. Kervin allegedly did not properly address Ms.

¹ Ms. McHenry currently holds the position of Lead Human Resources Generalist, which is discussed in detail below.

Goodson's concerns of a hostile work environment regarding two instances with Department Directors while she was employed by the County. HGRS was additionally tasked with investigating and determining whether Mr. Kervin appropriately managed such alleged instances.

Moreover, on July 3, 2024, the undersigned was made aware by County Administrator Stan Sunday that Ms. McHenry made a complaint via email (the "McHenry Complaint") that she was being, "discriminated against, harassed and retaliated against" by Ms. Jackson. In addition to the ongoing investigations, HGRS was tasked with investigating whether the alleged improper actions in the McHenry Complaint against Ms. Jackson occurred, and whether such alleged actions are violative of the Policies.

B. Topics of Investigation

1. *Allegations of an Improper Relationship in the Human Resources Department*

On or about May 31, 2024 Ms. Jackson sent the Jackson Report the Krizner Group² stating that Ms. Kervin contacted her on May 23, 2024, and informed of a "potentially unprofessional relationship" between Mr. Kervin and Ms. McHenry. According to Ms. Jackson, Ms. Kervin contacted Ms. Jackson and informed Ms. Jackson of an allegedly inappropriate text message between Mr. Kervin and Ms. McHenry. Ms. Jackson stated in her Report that she found Ms. Kervin's allegations to be concerning because during prior HR Department meetings in early 2024, two HR employees voiced concerns of, "favoritism, preferential treatment, and a hostile work environment" due to what they believed to be a, "unprofessional relationship" between Mr. Kervin, Ms. McHenry, and Tiffany Laird³, another HR Department employee. According to Ms. Jackson's Report, she informed Ms. Kervin that she had previously addressed this perception of favoritism directly with Mr. Kervin in February 2024.

The assertions of a possible inappropriate relationship between Mr. Kervin and Ms. McHenry arise in significant part from a text message (the "Text Message") sent on March 21,

² The Krizner Group is a law firm in Tallahassee, Florida that Walton County has access to in order to discuss employment-related matters through the Florida Association of Counties Trust ("FACT") program. A representative of FACT eventually advised Ms. Jackson to discuss the matter with the Walton County Attorney's office which subsequently engaged HGRS.

³ Ms. Jackson mentions a potential pay increase issue with Ms. Laird as described below but did not allege that Ms. Laird and Mr. Kervin were engaging in a romantic relationship. The undersigned has, in fact, not received any reports or evidence of any type of alleged improper relationship between Mr. Kervin and Ms. Laird.

2024 from Ms. McHenry via her personal cell phone⁴ to Mr. Kervin's personal cell phone, which allegedly stated, "I want you⁵."

2. *Allegations of Preferential Treatment Towards Ms. McHenry and Ms. Laird*

In her Report, Ms. Jackson stated that after her discussion with Ms. Kervin on May 31, 2024, she began reviewing Ms. McHenry's personnel records which revealed certain pay raises and a job promotion given to Ms. McHenry by Mr. Kervin. Ms. Jackson is Ms. McHenry's immediate supervisor, and Ms. Jackson stated in her Report that she had no prior knowledge of the promotion and most recent pay raise to Ms. McHenry. Ms. Jackson further stated in her Report that on May 2, 2024, Mr. Kervin promoted Ms. McHenry to, "Lead HR Generalist, a job position that was created by Mr. Kervin on 20 February 2024 without my [Ms. Jackson's] knowledge or the knowledge of anyone else within the county employment system." Ms. Jackson further stated in her Report that, "to my knowledge the position was not advertised to provide a fair and equal opportunity for competitive employment or hiring processes. Ms. Cook and Ms. Spain⁶ were both eligible to compete for the position but to my knowledge were not provided a fair opportunity for promotion." Ms. Jackson also stated in her Report that Ms. McHenry was awarded a raise in addition to this promotion.

Additionally in her Report, Ms. Jackson stated that after a HR Generalist Myland Hicks resigned in July 2023, Ms. McHenry and Ms. Laird were given additional duties and, as a result, were provided temporary pay raises. Ms. Jackson stated, however, that these temporary pay increases were never decreased as required by the Policies once two new HR Generalists (Ms. Spain and Ms. Cook) were hired in October 2023.

3. *Allegations of Hostile Work Environment by Gladys Goodson*

Ms. Jackson also stated in her Report that on April 14, 2024, Ms. Goodson resigned from her position with the County, "specifically citing the hostile work environment, discrimination, and favoritism as the reason for her resignation." In her Report, Ms. Jackson alleged that despite Ms. Goodson being more qualified than Ms. McHenry, she felt Mr. Kervin was undermining and discriminating against Ms. Goodson in favor of Ms. McHenry.

When interviewed during the undersigned's investigation, Ms. Goodson made further allegations regarding Mr. Kervin, specifically alleging that he did not properly address two Complaints she made regarding certain interactions she had with Public Works Administration

⁴ Both Mr. Kervin and Ms. McHenry are issued work phones by Walton County.

⁵ Although Ms. McHenry stated in her initial interview with the undersigned that the message read, "I want to," witness testimony suggests the Text Message did, in fact, read, "I want you." The Text Message is described in greater detail below.

⁶ Samantha Spain and Kacey Cook are two other HR Generalists in the HR Department.

Department Director Buddy Wright and Code Compliance Department Director Tony Cornman that she felt were inappropriate as discussed further herein.

4. *Allegations of Discrimination, Harassment and Retaliation in the Human Resources Department*

On June 27, 2024, Ms. McHenry emailed Mr. Sunday the McHenry Complaint stating, “I am being discriminated against, harassed, and retaliated against by Shannon Jackson, HR Manager.” In her Complaint, Ms. McHenry detailed several instances in which she alleged Ms. Jackson had acted improperly towards Ms. McHenry, such as not allowing Ms. McHenry to work from home, denying Ms. McHenry’s request to change her schedule, asking questions regarding appointments on the calendar, making grammatical changes to Ms. McHenry’s work, Ms. Jackson not allowing weekend work, and Ms. Jackson asking questions regarding summer students.

II. THE INVESTIGATION

A. Issues Presented

1. The Alleged Improper Romantic Relationship Between Mr. Kervin and Ms. McHenry.
2. The Appropriateness of Ms. McHenry’s Promotion to Lead HR Generalist.
3. The Appropriateness of Ms. McHenry’s Pay Raises; and the Temporary Pay Raise Given to Ms. McHenry and Ms. Laird.
4. The Appropriateness of the Response to Ms. Goodson’s Complaints to the HR Department.
5. The Alleged Discrimination, Harassment and Retaliation Against Ms. McHenry by Ms. Jackson.

B. Brief Answer

HGRS’s investigation has led to the following summary determinations as explained in further detail below:

1. Although the allegations of a romantic relationship between Mr. Kervin and Ms. McHenry could not be confirmed and both parties deny the existence of such relationship, the Text Message, Ms. McHenry’s refusal to provide certain requested information, and circumstances surrounding Ms. McHenry’s promotion to an improperly unadvertised position all do raise the possibility of an improper relationship.

2. Ms. McHenry's Promotion to Lead HR Generalist was improper and violative of Policies 3.6, 3.7, 5.10, and 8.2. because Mr. Kervin did not advertise/post the Lead HR Generalist position; did not accept applications for the Lead HR Generalist position; did not hold a competitive interview process for the Lead HR Generalist position; and issued the promotion in an incorrect manner.
3. (a) Ms. McHenry and Ms. Laird's temporary pay raises on July 29, 2023 were likely appropriate at the time, but according to Policy 5.7, should have been reduced once HR Generalists Ms. Spain and Ms. Cook were hired in October 2023.

(b) Ms. McHenry's pay raise on November 4, 2023 was appropriate because she received additional certifications that qualified her for the raise in accordance with Policy 5.8.

(c) Ms. McHenry's recent pay raise with her promotion to Lead HR Generalist on May 2, 2024 was violative and not according to Policies because Mr. Kervin improperly issued Ms. McHenry a pay raise with her promotion under Policy 5.10 instead of issuing a pay raise with a promotion according to Policy 5.6.
4. Mr. Kervin likely appropriately handled the Complaints by Ms. Goodson.
5. Ms. McHenry's allegations of being discriminated against, harassed, and retaliated against by Ms. Jackson cannot be substantiated. Ms. Jackson's actions and behaviors towards Ms. McHenry appear justified by the practices of the HR Department and are not violative of any Policies.

C. HGRS' Investigation Procedure

1. Documents Reviewed
 - a) BCC's Human Resources Policy Manual (the "Policies") (Relevant Policies attached hereto as Exhibit "A")
 - b) Shannon Jackson's Report – May 31, 2024 (Exhibit "B")
 - c) Correspondence between Ms. Jackson and Ms. Kervin
 - d) Correspondence between Ms. McHenry and Ms. Kervin
 - e) Ms. Jackson's HR Department Meeting Notes
 - f) HR Department Job Descriptions (Exhibit "C")
 - g) Walton County HR Department Organization Chart (Exhibit "D")
 - h) Lead HR Generalist system search results; HRIS Specialist system search results (Exhibit "E")
 - i) Lead HR Generalist folder created February 20, 2024 (Exhibit "F")
 - j) Ms. Goodson's Resignation email (Exhibit "G")
 - k) Ms. Goodson's email to Mr. Kervin – June 26, 2023 (Exhibit "H")

- l) Ms. McHenry personnel documents
- m) Ms. McHenry Personal Action Notice Change Form – July 29, 2023 (Exhibit “I”)
- n) Ms. Laird Personal Action Notice Change Form – July 29, 2023 (Exhibit “J”)
- o) Ms. McHenry Personal Action Notice Change Form – November 4, 2023 (Exhibit “K”)
- p) Ms. McHenry Personal Action Notice Change Form – May 4, 2024 (Exhibit “L”)
- q) Merit Pay Request for Ms. McHenry by Mr. Kervin – May 3, 2024 (Exhibit “M”)
- r) Ms. Laird personnel documents
- s) Mr. Kervin’s Phone and Text Records
- t) Ms. McHenry’s June 24, 2024 email to HGRS (Exhibit “N”)
- u) Ms. McHenry’s Complaint against Ms. Jackson and documentation– June 27, 2024 (Exhibit “O”)
- v) Ms. Jackson’s August 15, 2024 resignation letter and August 19, 2024 email to HGRS (“Exhibit P”)

2. Interview Summaries

HGRS conducted the following witness interviews in connection with its investigations.

a) *Shannon Jackson – June 3, 2024*

HGRS interviewed Ms. Jackson for the first time on June 3, 2024. Ms. Jackson began by explaining the operations and hierarchy of the HR Department, stating that Mr. Kervin is the Department Director and Chief Human Resources Officer, and that she is the HR Manager, which is the position directly below Mr. Kervin. Mr. Kervin is Ms. Jackson’s direct supervisor. The HR Generalists in the office, including Ms. McHenry, report directly to Ms. Jackson. Ms. McHenry still reports directly to Ms. Jackson in her new position as Lead HR Generalist.

Ms. Jackson stated she has only met Ms. Kervin, a few times, and on May 23, 2024, Ms. Kervin messaged Ms. Jackson on Facebook⁷ and told her she received a call from someone who worked for the County who told her that a lot of people thought something was going on between Mr. Kervin and Ms. McHenry. In her message to Ms. Jackson, Ms. Kervin stated she saw the Text Message between Mr. Kervin and someone in the [HR Department] office. Also in her message, Ms. Kervin asked Ms. Jackson if she had seen or worried that something was going on between Ms. McHenry and Mr. Kervin. Ms. Jackson responded that she did not “know

⁷ Such correspondence on Facebook started on May 23, 2024, and concluded on May 28, 2024.

anything” but she brought to Mr. Kervin’s attention the look of favoritism towards Ms. McHenry and Ms. Laird⁸ “several months ago.”

Ms. Jackson stated that on May 28, 2024, she called Ms. Kervin⁹ out of concern from their previous Facebook messages. Ms. Jackson stated they talked about the same things they previously discussed on Facebook, in addition to more detail about the Text Message. According to Ms. Jackson, Ms. Kervin stated the Text Message from Ms. McHenry to Mr. Kervin said, “I want you.” Ms. Jackson stated that Ms. Kervin indicated she had confronted Ms. McHenry about the Text Message and Ms. McHenry allegedly “denied it.” Ms. Jackson stated she had not spoken to Ms. Kervin again after their conversation on May 28, 2024.

Ms. Jackson stated she was conducting regularly scheduled annual review meetings for all HR employees in early 2024 when, during these meetings, Ms. Goodson and Sherrie Leddon, an HR Technician, separately brought up that Mr. Kervin favors Ms. McHenry and Ms. Laird. According to Ms. Jackson, Ms. Goodson and Ms. McHenry had tension from the beginning of their working relationship. Ms. Jackson stated she tried to allow Ms. McHenry and Ms. Goodson to work their problems out on their own, but eventually had to address the issues in a meeting with the entire HR Department.

Ms. Jackson stated that after talking to both Ms. Goodson and Ms. Leddon, in February 2024, she approached Mr. Kervin about the concerns of favoritism, to which Mr. Kervin allegedly responded, “if anyone has a problem then they can come talk to me.” Ms. Jackson said she let the favoritism issue go until she was contacted by Ms. Kervin in May 2024 (and eventually submitted her Report).

Ms. Jackson stated that leading up to being contacted by Ms. Kervin, she noted issues with Ms. McHenry in the office, specifically regarding the chain of command. Ms. Jackson alleged that Ms. McHenry would take problems straight to Mr. Kervin instead of bringing them to Ms. Jackson as her direct supervisor and has, “blatantly refused to come to her as a supervisor.” Ms. Jackson alleged that Ms. McHenry would go around her and jump the chain of command to report to Mr. Kervin instead of reporting to Ms. Jackson.

When asked about Ms. McHenry’s pay raises, Ms. Jackson stated that Ms. McHenry had received pay raises in the past, specifically one temporary pay raise in July 2023 and one incentive-based pay raise in November 2023. Ms. Jackson stated that Ms. McHenry and Ms. Laird both received a temporary pay raise in July 2023 when they took over duties for HR Generalist Myland Hicks who resigned. Ms. Jackson noted that while it is standard to receive additional pay when you receive additional duties, Ms. McHenry and Ms. Laird’s temporary pay increases were never decreased. According to Ms. Jackson’s knowledge of the Policies, when the

⁸ During her interview, Ms. Jackson stated that while Mr. Kervin has been accused of showing favoritism towards Ms. Laird, there have not been any allegations of a romantic relationship between he and Ms. Laird.

⁹ Ms. Kervin gave Ms. Jackson her cell phone number via Facebook Messenger on May 24, 2024.

HR Department hired two (2) new HR Generalists in October 2023 to fill the duties of the previous HR Generalist, the temporary pay raises should have been removed. Ms. Jackson also noted Ms. McHenry's incentive-based pay raise was likely according to Policies, stating Ms. McHenry received this in November 2023 after completing a certification.

When asked about Ms. McHenry's recent promotion to Lead HR Generalist, Ms. Jackson stated there was no history or record of the position for Lead HR Generalist being posted/advertised. Ms. Jackson noted any job posting should show the dates the position was advertised, and there did not appear to be any advertisement of this new job position. (See Exhibit E) Ms. Jackson also noted that she is Ms. McHenry's direct supervisor and had no prior knowledge of Ms. McHenry's promotion. Ms. Jackson stated there was no announcement to the HR Department, and she only learned of the new position when Ms. McHenry changed her job title in her email signature on May 22, 2024. Ms. Jackson stated that the other HR Generalists should have had the opportunity to be interviewed for the Lead HR Generalist position.

Ms. Jackson stated that when she was reviewing documents to make her Report, she noticed the job folder for the Lead HR Generalist position shows the date the folder was created by Mr. Kervin was on February 20, 2024 (See Exhibit F). As discussed in detail below, this is significant given that Mr. Kervin later stated he did not consider creating this position until after Ms. Goodson resigned on April 14, 2024.

Ms. Jackson noted that she drafted her Report on May 31, 2024 after being contacted by Ms. Kervin. After contemplating how best to manage the situation, Ms. Jackson decided to reach out to the Krizner Group with her Report. In Ms. Jackson's Report, she stated she, "no longer feel[s] welcome or safe" in her office. The undersigned addressed these claims with Ms. Jackson, who stated her claims regarding safety were in reference to job security, and not physical safety. The undersigned notes that some of Ms. Jackson's statements in her Report, such as Ms. Jackson no longer feeling safe, were seemingly hyperbolic and/or not thoroughly explained.

b) *Gina Waddell – June 4, 2024*

HGRS interviewed Ms. Waddell on June 4, 2024 after her name was mentioned in Ms. Jackson's interview summarized above. Ms. Waddell previously worked in the HR Department, and now works in a different department for the County. Ms. Waddell stated that she heard rumors of a potential relationship between Mr. Kervin and Ms. McHenry, and out of concern for Ms. Kervin called Ms. Kervin to "console" her. When the undersigned asked Ms. Waddell how she knew Ms. Kervin¹⁰, Ms. Waddell stated she knew her from Ms. Kervin coming to visit Mr. Kervin at the HR Department office. Ms. Waddell stated she had not seen anything between Mr.

¹⁰ In her first interview, Ms. Kervin stated Ms. Waddell called her unsolicited, reporting an alleged inappropriate relationship between Mr. Kervin and Ms. McHenry. Ms. Kervin stated she did not have Ms. Waddell's number saved in her phone, and she had not talked to Ms. Waddell since that particular phone conversation. Ms. Kervin indicated she does not know Ms. Waddell very well thus it was somewhat odd that Ms. Goodson would have reached out to Ms. Kervin in the manner she did.

Kervin and Ms. McHenry firsthand but had heard rumors about the two. Ms. Waddell stated Ms. Kervin told her about the Text Message. According to her conversation with Ms. Kervin, Ms. Waddell alleged the Text Message said, “I want you,” and that Mrs. Kervin confronted Mr. Kervin about the Text Message. Ms. Waddell also alleged that she was informed by Ms. Kervin that at a work-related conference, Ms. McHenry approached Ms. Kervin and asked if she would “share” Mr. Kervin. Ms. Waddell stated that when she worked in the HR Department, Ms. Goodson often complained that Ms. McHenry was the only person who ever received a raise.

c) *Melissa Thomason – June 4, 2024*

HGRS interviewed Ms. Thomason on June 4, 2024. Ms. Thomason is the Chief Financial Officer for Walton County, who, according to Policy 5.10, was required to sign off on the Merit Pay Request form¹¹ (See Exhibit M) submitted by Mr. Kervin on behalf of Ms. McHenry regarding her promotion to Lead HR Generalist and corresponding raise. When asked if she recalled signing off on this Merit Pay Request, Ms. Thomason stated she learned of this after the approval [from County Administration] occurred and when the finance approval came through in the system. Ms. Thomason stated she did not recall having any discussions with anyone about this Merit Pay Request, but that she typically is only involved to determine if there is funding available for a certain position. Ms. Thomason clarified that her sole role in approving a Merit Pay Request is to see if funds are available to allow for a merit increase, not to make decisions on whether an employee should receive an increase.

d) *Stan Sunday – June 4, 2024*

HGRS interviewed Mr. Sunday on June 4, 2024. Upon discussing the allegations, Mr. Sunday indicated appropriate concern upon then learning that the position for Lead HR Generalist was not advertised by Mr. Kervin and that this position was brand new and a separate job position¹². When asked about the new position, Mr. Sunday stated that after the recent resignation of an HR Generalist [Ms. Goodson], Mr. Kervin informed Mr. Sunday he did not want to fill the position, but instead wanted to distribute the duties within the HR Department, to which Mr. Sunday agreed. Mr. Sunday stated Mr. Kervin came back later and told him he had split Ms. Goodson’s duties between Ms. McHenry and Ms. Cook, another HR Generalist, and that he wanted to give each of them a five percent (5%) raise to commensurate with their increased duties as is standard practice when an employee is assigned additional duties.

Mr. Sunday said that all requests to increase salaries must be approved by him, and he subsequently saw in the system there was a five percent (5%) increase request for Ms. Cook as discussed, but a ten percent (10%) increase request for Ms. McHenry which was not. Mr. Sunday

¹¹ Mr. Kervin used the Merit Based Pay Request Form to promote Ms. McHenry to the Lead HR Generalist position. Such form was the incorrect method of issuing a promotion and was a violation of Policies as discussed in detail below.

¹² Mr. Sunday stated that the Lead HR Generalist position was not presented to him by Mr. Kervin as a new position.

stated he approved Ms. Cook's increase but did not originally approve the increase for Ms. McHenry because he was under the impression per his prior conversation with Mr. Kervin that Ms. McHenry would also be receiving a five percent (5%) increase. Mr. Sunday said around a week went by, and Mr. Kervin then came to his office to ask for approval for Ms. McHenry's ten percent (10%) increase. Mr. Sunday stated that Mr. Kervin justified to him that Ms. McHenry was receiving more duties than Ms. Cook and was performing what he considered to be the majority of the work of the HR Generalists. Mr. Sunday stated it was at this time that he noticed Mr. Kervin had placed the word "Lead" in front of Ms. McHenry's "HR Generalist" job title. Mr. Sunday told Mr. Kervin that Mr. Kervin would have to justify why he was giving Ms. Cook a five percent (5%) raise, Ms. McHenry a ten (10%) raise, and no other raises to any of the other HR Generalists. Mr. Sunday stated he ultimately approved the ten percent (10%) raise for Ms. McHenry after discussing it with Mr. Kervin who explained his rationale for the disparity to Mr. Sunday.

Mr. Sunday stated that when the Lead HR Generalist position was discussed with Mr. Kervin, Mr. Kervin's explanation was that in the event there is already an employee performing in that capacity, then the department director has the authority to give that employee a promotion¹³. When discussing the new job position further, Mr. Sunday stated he is an advocate of posting job openings and going through the competitive process, although he has seen situations where a job position is not posted, one example being an equipment operator¹⁴ with various job levels depending on experience, and elevating employees to different levels depending on skill level.

Mr. Sunday also confirmed that any temporary pay increase should be returned to the employee's normal salary structure once the temporary assignment has ended, although he was not sure if the County had been doing this in practice.

When asked about the alleged relationship between Mr. Kervin and Ms. McHenry, Mr. Sunday stated Mr. Kervin previously approached him and stated that his wife thought that he was having a relationship with Ms. McHenry. Mr. Sunday stated he asked Mr. Kervin why his wife would think that, to which Mr. Kervin told Mr. Sunday that Ms. McHenry texted him on her personal phone, and that his wife had a problem with the message. Mr. Sunday stated he asked Mr. Kervin if something was going on with Ms. McHenry, to which Mr. Kervin responded there was not. Mr. Sunday noted that he had no other evidence indicating the existence of an improper relationship and thus had reason to take Mr. Kervin at his word at that time.

¹³ While this may be correct according to County Policies and practice, the undersigned has determined that Mr. Kervin's explanation does not apply to the facts of this investigation and ignores procedures that must take place for a promotion to be issued according to Policy 8.2. Such promotion was violative of several Policies, as discussed in detail below.

¹⁴ The undersigned expressly differentiates between these types of skill-based positions and brand-new job positions in detail below and holds that such positions are not comparable for purposes of this investigation.

e) *Lindsey Kervin – June 4, 2024*

HGRS interviewed Lindsey Kervin for the first time on June 4, 2024. During a brief call with Ms. Kervin, she stated that Ms. Waddell called her unsolicited and told her about rumors regarding Mr. Kervin and Ms. McHenry. Ms. Kervin told the undersigned she would need to call back at a different time and initially seemed reluctant to discuss the matter.

f) *Tina McHenry – June 5, 2024*

HGRS interviewed Ms. McHenry for the first time on June 5, 2024. Ms. McHenry acknowledged the Text Message she sent Mr. Kervin and stated that earlier in the day on March 21, 2024, she and Mr. Kervin were at work discussing upcoming Employee Relations position interviews. Ms. McHenry stated that Mr. Kervin asked her to participate in these interviews, but she was unsure on whether to participate or not. Ms. McHenry expressly stated several times that her Text Message said, “I want *to*,” as opposed to “I want *you*” as originally alleged by Ms. Jackson and Ms. Waddell¹⁵. Ms. McHenry stated she texted Mr. Kervin “I want *to*” in relation to participating in the upcoming interviews, and that the situation was a misunderstanding. Ms. McHenry alleged that after she sent the Text Message to Mr. Kervin, Ms. Kervin messaged her something along the lines of “did you really just text my husband that you wanted him” to which Ms. McHenry responded something along the lines of “I said I want *to*.” Ms. McHenry showed the undersigned this Facebook Messenger exchange, which confirmed the Text Message was sent on March 21, 2024. The undersigned asked Ms. McHenry to allow the undersigned to review the Text Message, to which Ms. McHenry replied she had deleted the Text Message from her phone and could not provide us with a copy.

Ms. McHenry stated that Mr. Kervin stayed in his office for the next week with his door closed, and eventually she went into his office and told him that he did not need to avoid her. Later in the interview, Ms. McHenry stated Mr. Kervin called her on the night of March 21, 2024 after the Text Message was sent and allegedly stated he did not know what was going on.

When asked about the alleged relationship between she and Mr. Kervin, Ms. McHenry expressly denied any romantic relationship. When asked about spending time alone with Mr. Kervin, Ms. McHenry stated only that she had attended a conference with Mr. Kervin and they both went on a staff kayaking trip, but that other people were present at those events. Ms. McHenry also vaguely mentioned a time when she rode in the car with Mr. Kervin to “something in Milton or Marianna” related to work.

When asked about her background working for the County, Ms. McHenry stated that although she did not have a degree in HR, when she initially applied for a position in HR she had 14.5 years of experience with the County which made her a fit. Ms. McHenry stated she was hired into the HR Generalist position, and once another HR Generalist left, she acquired his duties. According to Ms. McHenry, Mr. Kervin is responsible for assigning duties in the HR Department. Ms. McHenry confirmed that she received a temporary pay increase in July 2023,

¹⁵ And later corroborated by Ms. Kervin and Mr. Kervin.

and that she retained such increase in October 2023 when two new HR Generalists were hired to assume the duties of the previous HR Generalist who had left.

When asked about the Lead HR Generalist position, Ms. McHenry stated she was approached by Mr. Kervin about the position when Ms. Goodson resigned in April 2024. Ms. McHenry stated she told Mr. Kervin she would take on Ms. Goodson's responsibilities, but that she would need compensation, to which Mr. Kervin agreed and stated Ms. Cook would also receive a pay raise for taking on additional duties. Ms. McHenry confirmed that the Lead HR Generalist position has its own position number. Ms. McHenry recalled Mr. Kervin allegedly stating he wanted to create a new position, and it was his idea that Ms. McHenry take this Lead position. Ms. McHenry stated she has seen other departments not advertise positions, such as a code supervisor¹⁶ changing their duties and therefore changing their title.

g) *Nathan Kervin – June 10, 2024*

HGRS interviewed Mr. Kervin for the first time on June 10, 2024. Mr. Kervin expressly denied having a romantic relationship with Ms. McHenry. When asked about the Text Message, Mr. Kervin stated that Ms. McHenry told him that the message was supposed to say "I want *to*" regarding helping Mr. Kervin hiring an employee relationship manager. Mr. Kervin stated the Text Message did in fact read, "I want *you*." When the undersigned asked to see the Text Message, Mr. Kervin stated he does not have the message because he got a new phone. When asked why Ms. McHenry texted Mr. Kervin on their personal phones, as opposed to their County issued phones, Mr. Kervin stated he assumed she used the wrong phone. Mr. Kervin was aware that Ms. Kervin confronted Ms. McHenry about the Text Message but did not know the details of the communication. Mr. Kervin stated he and Ms. McHenry had never been out together socially, only together at a conference with everyone's spouses present and other people from the HR Department in attendance. Mr. Kervin reiterated that he learned Ms. McHenry meant to type "I want *to*" instead of "I want *you*" when he and Ms. McHenry discussed the Text Message after it was sent.

When asked about the Lead HR Generalist position, Mr. Kervin stated it was not advertised because it was an internal position¹⁷. Mr. Kervin elaborated that the position was designed to help take the workload burden off Ms. Jackson, and only someone internal would be able to do so. Mr. Kervin stated this promotion had nothing to do with any type of relationship with Ms. McHenry. Mr. Kervin used the example that equipment operators¹⁸ are promoted

¹⁶ The undersigned holds that such positions are not comparable for purposes of this situation as detailed below.

¹⁷ As discussed in detail below, internal position promotions are still required to comply with Policies, and this promotion did not.

¹⁸ As previously stated, the undersigned expressly differentiates between these types of skill-based positions and brand-new job positions in detail below and holds that such positions are not comparable for purposes of this situation.

without the job being advertised. Mr. Kervin stated he first contemplated the Lead HR Generalist position in April 2024 when Ms. Goodson resigned¹⁹ (See Exhibit G). Mr. Kervin adamantly expressed the job was first created and contemplated in April 2024 when he learned Ms. Goodson was leaving.

Mr. Kervin confirmed that Ms. McHenry and Ms. Laird's temporary pay raises were never reduced once two new HR Generalists were hired and stated that the County, as a whole, does not reduce people's salaries as it is not good practice.

h) *Lindsey Kervin – June 10, 2024*

HGRS interviewed Ms. Kervin for the second time on June 10, 2024 when Ms. Kervin called the undersigned to continue the previous conversation that was cut short. Ms. Kervin alleged that at a conference in or around October 2023, Ms. McHenry approached her and asked if she would "share" Mr. Kervin. Ms. Kervin stated she "lost her cool" and found the comment "absolutely disgusting." Ms. Kervin alleged that after Ms. McHenry made that comment, Ms. McHenry grabbed Ms. Kevin's face and allegedly said, "it's okay, some people don't like to share." Ms. Kervin stated it was clear this was a sexual reference, and there was no indication that Ms. McHenry was joking.

Ms. Kervin corroborated that the Text Message said, "I want *you*." Ms. Kervin stated there were no other texts between the two on Mr. Kevin's phone where she saw the Text Message. Ms. Kervin mentioned that she confronted Ms. McHenry, and alleged that Ms. McHenry tried to lie and say the message said "I want *to*" about interviews at work.

Ms. Kervin stated that when she confronted Mr. Kervin about the Text message, his response was something along the lines of "maybe she does [want me]."

i) *Tina McHenry – June 11, 2024*

HGRS interviewed Ms. McHenry for the second time on July 11, 2024 to ask a few follow up questions from her initial interview. When asked why she did not use her work phone to send the Text Message to Mr. Kervin, Ms. McHenry stated she did not think to text him from her work phone. Ms. McHenry stated that the Text Message was the first time she had texted Mr. Kervin. Again, Ms. McHenry contended the Text Message stated, "I want *to*" rather than "I want *you*." Ms. McHenry stated she was with Ms. Kervin at a work conference but denied making any inquiries about Ms. Kervin "sharing" Mr. Kervin with her.

j) *Gladys Goodson – June 19, 2024*

HGRS interviewed Ms. Goodson for the first time on June 19, 2024. Ms. Goodson was an HR Generalist and resigned on April 14, 2024, citing a hostile work environment. Specifically, Ms. Goodson stated she reported two incidents to Mr. Kervin regarding department directors that were never addressed.

¹⁹ This statement is contradicted by documentation showing that Mr. Kervin created the folder for Lead HR Generalist February 20, 2024.

Ms. Goodson stated that in or around March or April 2024, she was participating in an interview with the Director of the Code Compliance Department, Tony Cornman, when he allegedly made what she felt was a racially insensitive comment²⁰. Ms. Goodson stated she was offended by the comment, and asked her direct supervisor, Ms. Jackson, for her and Mr. Kervin's perspective on how to manage the situation. Ms. Goodson stated that Ms. Jackson indicated Ms. Goodson could address the situation with Mr. Cornman directly. Ms. Goodson stated she then addressed the comment with Mr. Cornman, and the following week she was removed from servicing Mr. Cornman's department²¹. Ms. Goodson alleged that the following week at a training for managers and supervisors, she made eye contact with Mr. Cornman, and he allegedly "picked up his pants around his crotch" and said, "How you doing Gladys," in a way that further upset Ms. Goodson. Ms. Goodson stated she immediately reported this behavior to Ms. Jackson²². Ms. Goodson stated that because of this situation, she was completely removed from the Code Compliance Department and that it was assigned to a different HR Generalist.

Ms. Goodson also reported a problem she had with the Director of the Public Works Administration Department, Buddy Wright. Ms. Goodson stated Public Works was one of her departments, and she received a complaint from a citizen that a Public Works vehicle hit and damaged his vehicle. Ms. Goodson stated she went with Ms. Jackson to the Public Works building to investigate this incident, a task within her job duties, when Mr. Wright asked to see her in his office. Allegedly, with the Deputy Director of Public Works and Ms. Jackson also present, Mr. Wright yelled at Ms. Goodson, telling her to "stay in her lane and to mind her business with spit coming out of his mouth and his hands in the air." Ms. Goodson stated that she was shaking and traumatized from the situation to the point where it bled into her personal life. Ms. Goodson stated she reported this incident to Mr. Kervin in writing²³, but never heard anything from the HR Department about the incident. Ms. Goodson stated she asked Mr. Kervin to be removed from the Public Works Department.

Ms. Goodson recounted that on one occasion, the HR Department was scheduled to go to Pensacola for the day for a work trip. In advance of the trip, the HR Department employees

²⁰ Ms. Goodson alleged that Mr. Cornman made a reference to "cotton-picking" in between employee interviews. The undersigned understood from Ms. Goodson that this comment was made as an expression of frustration on Mr. Cornman's part. According to Merriam-Webster Dictionary, the adjective "cotton-picking" is generally understood to be an expression of disapproval although it is considered by some to be racially offensive. (See <https://www.merriam-webster.com/dictionary/cotton-picking>)

²¹ The Code Compliance Department.

²² Ms. Jackson denied ever receiving this report from Ms. Goodson and was unaware of such alleged interaction between Mr. Cornman and Ms. Goodson. Further, Mr. Kervin did not receive a report from Ms. Goodson, and was also unaware of this alleged interaction.

²³ The undersigned has found no evidence of a written report or complaint regarding this situation.

planned who would ride in which car. Ms. Goodson alleged that before the group got ready to leave, Ms. McHenry went into Mr. Kervin's office, whispered "are you ready?" and the two left out of the back door to his office. Ms. Goodson stated that it was not planned for Mr. Kervin and Ms. McHenry to ride in the same car to Pensacola. Ms. Goodson stated that the group waited on Ms. McHenry for 10 to 15 minutes, but when she did not come back, they went ahead to Pensacola, where Mr. Kervin and Ms. McHenry were waiting on them.

Ms. Goodson stated that at an office recreational outing one Saturday, the HR Department went to a lake to kayak and swim. Ms. Goodson alleged that at this outing, Ms. McHenry approached her and allegedly made a sexually suggestive comment, which Ms. Goodson did not reciprocate. Specifically, Ms. Goodson alleged that Ms. McHenry approached her and said, "so Gladys, do you swing?" Ms. Goodson stated she was shocked by the comment, and that Ms. McHenry "batted her eyelashes and walked away."

Ms. Goodson stated that while she worked for the County, she took issue that Ms. McHenry consistently received raises, even though Ms. McHenry did not meet the qualifications for the HR Generalist position to begin with.

k) *Gladys Goodson – June 21, 2024*

HGRS interviewed Ms. Goodson for the second time on June 21, 2024. Ms. Goodson called the undersigned and relayed that she forgot to mention in her original interview that Mr. Kervin showed Ms. McHenry a lot of favoritism, to the point where it disturbed the flow of the office.

l) *Gladys Goodson – June 26, 2024*

HGRS interviewed Ms. Goodson for the third time on June 26, 2024 to inquire about documentation of her Complaints to Mr. Kervin regarding the alleged instances with Mr. Cornman and Mr. Wright. Ms. Goodson provided the undersigned with an email Complaint (*See Exhibit H*) made to Mr. Kervin on June 26, 2023, regarding Mr. Wright, but did not have any documentation for the alleged incident with Mr. Cornman.

m) *Shannon Jackson – June 26, 2024*

HGRS interviewed Ms. Jackson for the second time on June 26, 2024 to discuss Ms. Goodson's Complaints. Ms. Jackson stated she was aware of the alleged comment made by Mr. Cornman to Ms. Goodson, and stated Mr. Kervin knew about the incident, although she was unsure what action he took regarding the alleged comment. Ms. Jackson stated she was told by Mr. Kervin to remove Ms. Goodson from Mr. Cornman's department. Ms. Jackson stated she never received any written correspondence from Ms. Goodson relating to the alleged comment by Mr. Cornman. When asked about the alleged inappropriate gesture made by Mr. Cornman to Ms. Goodson, Ms. Jackson stated she did not recall Ms. Goodson ever reporting that to her.

Ms. Jackson stated she was present during the situation with Mr. Wright, and that Mr. Wright and Deputy Director of Public Works Administration Scott Caraway were "berating Gladys pretty bad." Ms. Jackson contented that Ms. Goodson was doing her job and was acting

within the scope of her work as an HR Generalist and did not know why Mr. Wright had an issue with Ms. Goodson. Ms. Jackson stated that Mr. Wright told Ms. Goodson to, “stay in her lane.” Ms. Jackson alleged that Mr. Wright raised his voice at Ms. Goodson and threw his hands up in the air. Ms. Jackson stated Ms. Goodson was eventually removed from the Public Works Administration Department. Ms. Jackson confirmed that Ms. Goodson did in fact put her Complaint regarding Mr. Wright in writing but does not know what Mr. Kervin did in response. (See Exhibit H).

n) *Lindsey Kervin – June 28, 2024*

HGRS interviewed Ms. Kervin for the third time on June 28, 2024. Ms. Kervin called the undersigned and stated that the previous week, Ms. Goodson messaged her on Facebook to tell her she was sorry to hear about issues between Mr. and Ms. Kervin and told her that Ms. McHenry allegedly made the sexually suggestive remarks about swinging noted above during a canoe trip, stating that Ms. Goodson told her that Ms. McHenry allegedly asked Ms. Goodson if she could sleep with her husband. Ms. Kervin recounted that at the conference where Ms. McHenry allegedly asked her to share Mr. Kervin, Ms. Goodson approached Ms. Kervin and told her she was not happy about the preferential treatment Mr. Kervin was giving Ms. McHenry and that something was going on because they do not leave each other’s sides.

o) *Nathan Kervin – July 11, 2024*

HGRS interviewed Mr. Kervin for the second time on July 11, 2024 regarding Ms. Goodson’s Complaint. When asked about the situation with Mr. Wright, Mr. Kervin stated that before Ms. Goodson made her Complaint (See Exhibit H), Mr. Wright reached out to Mr. Kervin with concerns regarding Ms. Goodson’s work. According to Mr. Kervin, one of the employees at Public Works did not want to work with Ms. Goodson anymore because he felt personally attacked by her in a previous interaction. Mr. Kervin stated he sat down with Ms. Goodson to go over some of the alleged concerns from the Department such as Ms. Goodson not responding to emails in time, poor communications, and not posting open job positions. Mr. Kervin said that after the alleged incident with Mr. Wright, Mr. Kervin listened to Ms. Goodson’s perspective, and it was obvious the relationship between Ms. Goodson and Public Works was damaged. Mr. Kervin stated he gave Ms. Goodson the opportunity to stay with the Public Works Administration Department or to take on a different department, and Ms. Goodson asked to be reassigned.

When asked about the situation between Ms. Goodson and Mr. Cornman, Mr. Kervin stated he was not aware of any documents or reports in writing regarding the situation. Mr. Kervin stated Ms. Goodson came to him and said she wanted to have a discussion with Mr. Cornman about the alleged remark she found offensive, and that he said she could say something to Mr. Cornman about it directly. Mr. Kervin stated he also addressed the situation with Mr. Cornman directly and told him he needed to be mindful about his comments. Mr. Kervin stated he was not aware of the alleged inappropriate gesture made by Mr. Cornman directed at Ms. Goodson.

Mr. Kervin stated that before the incident of the alleged offensive comment by Mr. Cornman to Ms. Goodson, when Mr. Cornman was Deputy Director of the Code Compliance

Department, Mr. Cornman asked Mr. Kervin if Ms. Goodson could be moved from servicing the Code Department because her husband²⁴ also worked in the Code Compliance Department. According to Mr. Kervin, it was alleged that Ms. Goodson was acting negatively towards the department due to information she was getting from her husband. Mr. Kervin said at the time the numbers did not make sense to move Ms. Goodson, and he told Mr. Cornman things would need to be left as they were. Mr. Kervin stated that subsequent to this conversation, Ms. Goodson's performance started going downhill, and he received reports from various department directors of her not properly performing aspects of her job. Mr. Kervin stated at the time he removed Ms. Goodson from the Code Compliance Department the numbers made more sense for Ms. Goodson to be removed. When asked if Mr. Cornman asked again for Ms. Goodson to be removed from servicing the Code Compliance Department after the alleged offensive comment by Mr. Cornman, Mr. Kervin responded, "he may have."

During this conversation, Mr. Kervin was asked if he was able to locate the Text Message or any iMessages between he and Ms. McHenry, to which he responded he had not been able to²⁵.

p) *Tina McHenry – July 12, 2024*

HGRS interviewed Ms. McHenry for the third time on July 12, 2024 regarding the Complaint she made to Mr. Sunday on June 27, 2024 concerning Ms. Jackson. Ms. McHenry stated that her problems with Ms. Jackson dated back to when Ms. McHenry started in the HR Department in February 2023²⁶. Ms. McHenry stated one day in the office, she made a comment about using Mr. Kervin's car to go to a meeting, to which Ms. Goodson allegedly commented something along the lines of, "pretty girls don't pump gas around here?" Ms. McHenry contended that Ms. Jackson's problems with her stem from Ms. Goodson and Ms. McHenry not getting along. Ms. McHenry alleged that Ms. Jackson allowed Ms. Goodson to "attack" her, and that she was never allowed to say her side of the story. Ms. McHenry stated that she told Ms. Jackson she needed to be unbiased in the conflict between Ms. McHenry and Ms. Goodson.

Ms. McHenry stated that after Ms. Goodson voluntarily resigned, she was presented with the Lead HR Generalist position. Ms. McHenry alleged that Ms. Jackson had a problem with her title change, and that this is when the discriminatory behavior began.

Ms. McHenry recounted several alleged issues between her and Ms. Jackson including, "in her recaps she will say she discussed things she did not, and makes comments about

²⁴ Mr. Kervin stated it was not against Policies for Ms. Goodson to service her husband's department because Policies only address supervisor relationships, however he noted that the Policies were written before the creation of the HR Generalist position.

²⁵ See section below entitled, "Records Requests to Nathan Kervin and Tina McHenry."

²⁶ In a contradictory statement, Ms. McHenry also claimed that the alleged discriminatory behavior from Ms. Jackson began in May 2024.

employees not there, like asking where she [Ms. McHenry] was when she [left the office one day].” Ms. McHenry stated she has been treated differently than other people in the HR Department such as, “Tiffany, Lacey, Sherri and Jessica.”

When asked what she believed the root cause of Ms. Jackson’s alleged actions stem from, Ms. McHenry stated multiple times that Ms. Jackson has treated her differently because Ms. Jackson is close with Ms. Goodson and sided with Ms. Goodson in their conflicts.

In her Complaint against Ms. Jackson (*See Exhibit O*), Ms. McHenry stated Ms. Jackson did not allow her to work from home²⁷ one morning when she was sick. Ms. McHenry texted Ms. Jackson on June 27, 2024 at 5:27am and stated, “I am not going to be in today. I’ve had a horrible migraine all morning. I have a few emails I need to send but I can do that from home at some point.” Ms. Jackson allegedly responded stating, “Good morning and sorry to hear that. I hope you feel better.” “Since you’ve called in sick today you are not required or obliged to work from home so I’ll have Tiffany correct your time entry for today to PTO. I hope you feel better.” (*See Exhibit O*). Ms. McHenry stated that typically, if she has things she needs to complete at home, she will log in and complete those tasks, and that other people have been able to work from home in the past.

Also in her Complaint against Ms. Jackson, Ms. McHenry stated Ms. Jackson questioned Ms. McHenry about an appointment on her calendar. Ms. McHenry stated that she had an appointment scheduled on her calendar, which she cancelled. Ms. McHenry alleged that Ms. Jackson questioned her about whether she was leaving the office for her appointment, to which Ms. McHenry responded she had cancelled the appointment.

Additionally, in her Complaint against Ms. Jackson, Ms. McHenry stated Ms. Jackson would not approve her schedule change²⁸. Ms. McHenry stated that after submitting a request to Ms. Jackson to change her schedule, Ms. Jackson allegedly came to her office and asked Ms. McHenry if she had an extenuating circumstance that would justify a change in schedule, and Ms. McHenry told her she did not. Ms. McHenry’s request was to change her working hours from 6:30am to 3:30pm²⁹. Ms. Jackson stated in her response email, “As we discussed, please stay with our 7am regularly scheduled workday start time unless there is an extenuating circumstance hindering this. If a temporary work schedule change is needed, that can be arranged.” (*See Exhibit O*). Ms. McHenry alleged that other employees in the HR Department have made requests to change their schedule without extenuating circumstances which have been approved by Ms. Jackson. Ms. McHenry also stated that in the past Ms. Jackson approved a schedule change for her without an extenuating circumstance.

²⁷ The Policies do not include procedures or practices for working from home.

²⁸ The Policies do not include procedures or practices for schedule changes.

²⁹ Ms. McHenry’s current schedule is to work from 7:00am to 4:00pm.

In her Complaint, Ms. McHenry further stated Ms. Jackson allegedly asked the HR Employee Relations Manager to check if she arrived at a work-related event on time. Ms. McHenry stated in her Complaint that the next day, Ms. Jackson asked her “how it went and if they started on time.”

Ms. McHenry also stated in her Complaint that Ms. Jackson made comments regarding Ms. McHenry’s performance and made grammatical changes to some of her work. Ms. McHenry stated that Ms. Jackson allegedly told her she needed to “slowdown.” Ms. McHenry stated that Ms. Jackson allegedly said she would not approve job descriptions³⁰ unless they matched the MUNIS³¹ data, after Mr. Kervin had already approved for Ms. McHenry to make changes to job descriptions. Ms. McHenry stated that Ms. Jackson will say she made “grammatical changes” to her job descriptions, but “never tells you [Ms. McHenry] what these changes are.”

Ms. McHenry further stated Ms. Jackson allegedly stated in a weekly roundup email that weekend hours are not allowed to be worked. Ms. McHenry stated in her Complaint she was the only employee to work on the weekend recently and had a time entry report to prove it, yet during her interview stated two other HR employees had also recently worked on the weekend. Ms. McHenry attached Ms. Jackson’s weekly roundup email to her Complaint, in which Ms. Jackson stated, “weekends are not our regularly scheduled workdays, extenuating circumstances such as department events (example: lifeguard swim lessons, career fair). Please let me know if weekend work is needed in advance³². Thank you.” (See Exhibit O). In her interview Ms. McHenry recounted other occasions she has worked on the weekends.

In her Complaint, Ms. McHenry also stated Ms. Jackson questioned why Ms. McHenry had not informed her of a recent addition to her approvals for the summer students assigned to the Clerk’s Office.

At the end of this interview, Ms. McHenry repeated that all these complaints, and that the alleged mistreatment she had received from Ms. Jackson was because of Ms. McHenry’s issues with Ms. Goodson.

Further, Ms. McHenry stated she refused to produce any records pursuant to HGRS’s Records Request³³, and that she would not answer any questions or participate further in HGRS’s investigation regarding her and Mr. Kervin. (See Exhibit N)

³⁰ One of the duties of an HR Generalist is to manage job descriptions for Walton County employee positions.

³¹ MUNIS is an HR information system utilized by the HR Department.

³² Policy 5.12 entitled “Timesheet Violations” expressly states, “Nonexempt employees shall not work any hours outside of their normal workday unless their supervisor has authorized the unscheduled work.”

³³ As described in detail below in the section entitled, “Records Requests to Nathan Kervin and Tina McHenry.”

q) *Shannon Jackson – July 16, 2024*

HGRS interviewed Ms. Jackson for the third time on July 16, 2024 regarding the Complaint Ms. McHenry made against her.

In her Complaint, Ms. McHenry stated Ms. Jackson did not allow her to work from home one morning when she was sick. Ms. Jackson responded that working from home is decided on a case-by-case basis, usually at the direction of Mr. Kervin. Ms. Jackson stated that when it comes to the HR Department's work from home practices, if you are sick, you are not expected to work, therefore working from home when sick is usually not approved by Mr. Kervin. Ms. Jackson stated that Ms. McHenry's request to work from home was not accepted in this situation because Ms. McHenry stated she did not feel well, and therefore she was not obligated to work.

In her Complaint, Ms. McHenry stated Ms. Jackson asked the HR Employee Relations Manager to check if she arrived at a work-related event on time. Ms. Jackson stated she did not ask the HR Employee Relations Manager to check on Ms. McHenry, and only questioned Ms. McHenry because if Ms. McHenry could not make it to the work-related event, Ms. Jackson was going to go in her place.

In her Complaint, Ms. McHenry stated Ms. Jackson would not approve her schedule change. Ms. Jackson stated that the HR Department's working hours are between 7:00am and 5:30pm, and that employees have flexibility with their schedules as long as they stay within the normal working hours. Ms. Jackson stated that without some sort of extenuating circumstance, HR employees are required to stay within those working hours. Ms. Jackson stated that she has approved employees' requests for schedule changes with no extenuating circumstances where the change request is still within the working hours of 7:00am to 5:30pm, such as when she approved Ms. McHenry's previous request for a schedule change. Ms. Jackson stated the one employee currently working outside of working hours is doing so temporarily because of an extenuating circumstance. Ms. Jackson stated that other employees that have adjusted their schedules have had extenuating circumstances and have stayed within regular working hours. Ms. Jackson stated that some of these extenuating circumstances include childcare and continuing education. Ms. Jackson stated she followed up with Mr. Kervin after denying Ms. McHenry's request, explaining the reason for the denial.

In her Complaint, Ms. McHenry stated Ms. Jackson questioned Ms. McHenry about an appointment on her calendar. Ms. Jackson stated she asked about the appointment in casual office conversation because she thought, according to what she saw on her calendar, that Ms. McHenry was supposed to be out of the office.

In her Complaint, Ms. McHenry stated Ms. Jackson made comments regarding Ms. McHenry's performance and made grammatical changes to some of her work. Ms. Jackson stated that MUNIS is their HR information system, and in MUNIS there is a description provided for each job. Ms. Jackson stated that she requires the Walton County job descriptions to match the MUNIS job descriptions which she relayed to Ms. McHenry. Ms. Jackson stated after that discussion, Ms. McHenry brought it up in a meeting and brought it up separately to Mr. Kervin, to which he allegedly sided with Ms. McHenry on the issue.

In her Complaint, Ms. McHenry stated Ms. Jackson allegedly said in an email that weekend hours are not allowed to be worked. In the email Ms. McHenry was referring to, Ms. Jackson stated, “weekends are not our regularly scheduled workdays, extenuating circumstances such as department events (example: lifeguard swim lessons, career fair). Please let me know if weekend work is needed in advance. Thank you.” (*See Exhibit O*). Ms. Jackson stated she knew about Ms. McHenry attending the lifeguard training prior to that occurring, but instead was referring to Ms. McHenry working on a different weekend without prior approval. Ms. Jackson also stated that she included that note on weekend work in her email because two other HR employees had worked on weekends as well as Ms. McHenry.

In her Complaint, Ms. McHenry stated Ms. Jackson questioned why Ms. McHenry had not informed her of the recent addition to her approvals for the summer students assigned to the Clerk’s Office. Ms. Jackson stated she noticed she had time entries for her approval from two new people and asked Ms. McHenry why they were on there. Ms. Jackson stated she told Ms. McHenry to let her know next time people were going to be added for her approval.

Ms. Jackson reported she did not think that she and Ms. McHenry had been having any issues at work. Ms. Jackson stated that Ms. McHenry allegedly accused Ms. Jackson of being biased in the past when there were issues between Ms. Goodson and Ms. McHenry. Ms. Jackson stated she tried to address Ms. Goodson and Ms. McHenry’s issues individually, which did not work, so she sat everyone in the HR department down as a group to try to fix the situation between the two women.

r) *Sherrie Leddon – August 27, 2024*

Lastly, HGRS interviewed Ms. Leddon on August 27, 2024 regarding a report she had made to the Walton County Attorney’s office.

Ms. Leddon stated the way Mr. Kervin and Ms. McHenry act towards each other in the HR Department office has made her feel uncomfortable. Ms. Leddon stated that Mr. Kervin and Ms. McHenry allegedly flirt with one another, and are “constantly communicating,” much more than Mr. Kervin communicates with any of the other HR Department employees.

Ms. Leddon stated that Ms. McHenry is “more times than not” in Mr. Kervin’s office, and that she allegedly “leans over his desk” in a way that “leans her chest and face towards him [Mr. Kervin] with her [Ms. McHenry’s] back end up in the air,” and that this is a “common occurrence.” Ms. Leddon also alleged that Ms. McHenry sometimes dresses unprofessionally and provocatively in the office in a manner that makes Ms. Leddon uncomfortable.

Ms. Leddon stated that around two to three months ago, on two separate occasions, she got to work early at 6:30am, which she usually does not do. Ms. Leddon stated when she arrived at the office at 6:30am, Mr. Kervin and Ms. McHenry were allegedly alone in the office building, “just the two of them.” Ms. Leddon stated that on both of these occasions, Mr. Kervin and Ms. McHenry were allegedly in Mr. Kervin’s office alone with the door shut. Ms. Leddon stated this made her feel like something “must have been going on” between Mr. Kervin and Ms. McHenry.

Ms. Leddon stated she was already an HR Department employee when Ms. McHenry was hired as an HR Generalist, and that both Ms. McHenry and Ms. Leddon interviewed for the HR Generalist position. Ms. Leddon stated Ms. McHenry got the job over Ms. Leddon, which was notable because she was already in the HR Department while Ms. McHenry did not have a background in HR. Ms. Leddon stated that it is possible Ms. McHenry interviewed better than she did, however Ms. Leddon stated it is apparent to her now that Mr. Kervin, who was on the interview panel, and Ms. McHenry, may have known each other prior to the interview, and Mr. Kervin possibly gave Ms. McHenry the role so the two could work in the same department.

Ms. Leddon also expressed concerns over Ms. McHenry taking the Lead HR Generalist position, stated the job was not advertised, and noted that Ms. Cook and Ms. Spain are HR Generalists and did not get a chance to interview. Ms. Leddon said Ms. McHenry's Lead HR Generalist role was not announced, however Ms. McHenry changed her title in her email signature which is how she knew about the position. Ms. Leddon questioned why Mr. Kervin has kept "padding her [Ms. McHenry's] income" and that "it is noticeable."

Ms. Leddon stated that around three to four months ago, some of the HR employees were getting together to get in the car and go to a work event. Ms. Leddon stated that the employees were standing in the office waiting to leave, when Ms. McHenry rushed to Mr. Kervin's office and left out of his back door/private entrance. Ms. Leddon said the group waited a couple of minutes until they realized Mr. Kervin and Ms. McHenry had left together.

Ms. Leddon stated that once Ms. McHenry was hired into the HR Department, Ms. McHenry "immediately got taken right under Nathan's wing." Ms. Leddon stated that Ms. McHenry has attended various BCC meetings with Mr. Kervin, which began as soon as Ms. McHenry was hired into the HR Department. Ms. Leddon alleged that Mr. Kervin and Ms. McHenry have often gotten in Mr. Kervin's car alone together, while the other HR Generalists have "never gotten in his car to go anywhere." Ms. Leddon noted Ms. Jackson, Ms. McHenry's supervisor, only attends BCC meetings when Mr. Kervin is unable to attend.

Ms. Leddon stated she expressed some of these concerns to Ms. Jackson at the beginning of the year, but nothing in the office has changed. Ms. Leddon said Mr. Kervin and Ms. McHenry's behavior is ongoing as of present and "has not stopped."

3. Records Requests to Nathan Kervin and Tina McHenry – June 20, 2024

On June 20, 2024, via email, HGRS requested that Mr. Kervin and Ms. McHenry produce copies of their iMessages and/or text messages contained on their personal cell phones and on any associated iCloud³⁴ accounts between themselves. Given that both Mr. Kervin and Ms. McHenry stated they deleted the Text Message, we requested that they produce any such

³⁴ Asking for records from an iCloud is inclusive of obtaining iMessages, and in some instances, allows for one to recover previously deleted iMessages. Ms. Kervin alleged that she originally viewed the Text Message from an Apple Watch, which is a possible indication that the Text Message was in fact an iMessage. Further, because both Ms. McHenry and Mr. Kervin stated they deleted the Text Message from their devices, searching records from iCloud accounts is one method of recovering such deleted content.

messages they currently had access to, restore iMessages from iCloud backup, and produce any such messages between themselves. HGRS also requested that Mr. Kervin and Ms. McHenry produce their cell phone call records.

In the records request, HGRS stated that the purpose of the request was simply to allow HGRS to identify the existence of any text messages or calls on personal cell phones between Ms. McHenry and Mr. Kervin during the relevant time period. Additionally, because both Mr. Kervin and Ms. McHenry stated in their interviews that the contents of the Text Message were regarding official Walton County work, the Text Message is classified as a public record according to Florida Statute Ch. 119, also known as the Florida Public Records Act.

On June 21, 2024, Mr. Kervin provided HGRS with his cell phone call records, as well as his text messaging records. Such records did not include any iMessage records, which is the method in which Ms. McHenry sent the Text Message to Mr. Kervin. Upon asking Mr. Kervin to perform an iCloud backup on his devices to retrieve the Text Message, Mr. Kervin stated that he conducted a backup, and the Text Message was not able to be produced.

However, Mr. Kervin's records did show where he made an outgoing call to Ms. McHenry³⁵ on March 21 2024 at 6:54pm and she made an incoming call to Mr. Kervin the same night at 7:31pm.

On June 24, 2024, Ms. McHenry communicated via email, "Due to recent allegations, harassing behavior, and discrimination against me, I have decided to seek legal counsel and will not participate further without legal representation." Ms. McHenry did not produce any records and refused to cooperate with HGRS's investigation³⁶. (See Exhibit N).

4. Ms. Jackson's Resignation

On August 19, 2024, the undersigned was informed via email (See Exhibit P) by Ms. Jackson that, "for my [Ms. Jackson's] own best interest, I [Ms. Jackson] have decided to resign from my position with the County." Ms. Jackson attached to this email her official resignation addressed to Mr. Kervin, dated August 15, 2024. (See Exhibit P).

³⁵ This call was made to one known telephone number of Ms. McHenry, however the undersigned notes Ms. McHenry may have other telephone numbers.

³⁶ ³⁶ Ms. McHenry *did* talk to the undersigned regarding her Complaint against Ms. Jackson subsequent to her June 24, 2024 email (See Exhibit N), however during this interview she refused to answer any other questions regarding the allegations against her and Mr. Kervin, and only discussed her Complaint against Ms. Jackson.

D. Applicable Policies Reviewed

1. General Conduct – Policy 2.1

Policies and procedures applicable to general conduct are found in Section II of the Policies entitled “Conduct.” Specifically, Policy 2.1, entitled, “General Conduct” provides in relevant part as follows:

Employees are always expected to conduct themselves in a positive manner to promote the best interests of the Walton County BCC. Appropriate employee conduct includes:

- **Cooperating with all Walton County BCC Investigations**

At County Administration or the department director’s discretion, **any violation of the Walton County BCC’s policies or any conduct considered inappropriate or unsatisfactory may subject the employee to disciplinary action, up to and including termination** of their employment. The Walton County BCC reserves the right to determine the appropriate level of discipline and is not required to proceed through any specific series of action.

(emphasis added).

2. Workplace Harassment – Policy 2.10

Policies and procedures applicable to workplace harassment are found in Section II of the Policies entitled “Conduct.” Specifically, Policy 2.10, entitled, “Workplace Harassment” provides in relevant part as follows:

It is the policy of the Walton County BCC to promote a productive work environment and the Walton County BCC shall not tolerate verbal or physical conduct by any employee that harasses, disrupts, or interferes with another employee’s work performance or that creates an intimidating, offensive, or hostile environment.

- Employees are expected to maintain a productive work environment that is free from harassing or disruptive activity. No form of harassment shall be tolerated, including harassment for the following reasons: age, race, color, sex, gender expression or orientation, religion, national origin, marital status, gender identity, sexual orientation, disability, or any other protected status in accordance with the requirements of all federal, state, and local laws...

Harassment is a form of offensive behavior in which a person targets another employee(s) relating to an individual’s age, race, color, sex (including same-sex sexual harassment), religion, national origin, gender identity or expression, or sexual

orientation, or disability. It constitutes discrimination and is illegal under federal, state, and local laws.

(emphasis added).

3. Workplace Personal Relationships – Policy 2.12

Policies and procedures applicable to workplace relationships are found in Section II of the Policies entitled “Conduct.” Specifically, Policy 2.12, entitled, “Workplace Personal Relationships” provides in relevant part as follows:

The Walton County BCC prohibits romantic or sexual relationships between management or other supervisory employee and their staff (an employee who reports directly or indirectly to that person) because such relationships tend to create compromising conflicts of interest or the appearance of such conflicts. In addition, such a relationship may give rise to the perception by others that there is favoritism or bias in employment decisions. Moreover, given the uneven balance of power within such relationships, consent by the staff member is suspect and may be viewed by others or, later, by the staff member as having been given as the result of coercion or intimidation. The atmosphere created by such appearances of bias, favoritism, intimidation or coercion or exploitation undermines the spirit of trust and mutual respect that is essential to a healthy work environment. **This policy applies to all employees** without regard to the gender of the individuals involved.

If any supervisory or management employee enters a consensual relationship that is romantic or sexual in nature with a member of their staff (an employee who reports directly or indirectly to them), or if one of the parties is in a supervisory capacity in the same department in which the other party works, the parties must notify the department director. **Although the parties may feel that what they do during non-working hours is their business and not the business of the office, because of potential issues regarding "quid pro quo" harassment, this is a *mandatory* requirement.**

Once the relationship is made known to the department director, the department director with support from the Director of HR will review the situation considering all the facts (reporting relationship between the parties, effect on co-workers, job titles of the parties, etc.) and will **determine whether one or both parties need to be moved to another job or department.** That decision will be based on which move will be **least disruptive** to the organization.

If it is determined that one or both parties must be moved, but no other jobs are available for either party, one or both parties may be terminated.

(emphasis added).

4. Whistleblower and Retaliation – Policy 2.17

Policies and procedures applicable to retaliation are found in Section II of the Policies entitled “Conduct.” Specifically, Policy 2.17, entitled, “Whistleblower and Retaliation” provides in relevant part as follows:

...No employee who, in good faith, reports a violation of the Code of Ethics shall suffer harassment, retaliation, or adverse employment consequence. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment....

5. Competitive Process – Policy 3.6

Policies and procedures applicable to interviews for job positions are found in Section III of the Policies entitled “Recruitment, Selection & Appointment.” Specifically, Policy 3.6, entitled, “Competitive Process” provides in relevant part as follows:

...**All positions** which a department intends to fill may be **announced** either **internally, externally, or both** at the request of the department director and approval of the Director of HR.

Department directors and supervisors who need to fill a job opening or want to add a new job position should **submit an employment requisition** to HR Department for approval. All requisitions will be reviewed and approved by the Director of HR, but those for **a new job position will be evaluated in greater detail and approved by County Administration.**

The Walton County BCC may attempt to fill job openings above entry level by promoting from within if qualified internal applicants are available.

Any candidate for employment **must fill out and sign an employment application to be considered** for employment.

All applications are screened for qualifications...

Interviews shall be conducted in accordance with Policy 3.7 – Interview Process Policy...

(emphasis added).

6. Interview Guidelines – Policy 3.7

Policies and procedures applicable to interviews for job positions are found in Section III of the Policies entitled “Recruitment, Selection & Appointment.” Specifically, Policy 3.7, entitled, “Interview Guidelines” provides in relevant part as follows:

All appointments shall be made based on merit by a competitive interview process...

A minimum of **three (3) candidates** and a maximum of **six (6) candidates** may be interviewed for each open FTE position...

The **interview panel** shall be comprised of three (3) or more members to include the position supervisor, department director or exempt-level department employee, and an exempt-level employee outside the hiring position's department.

(emphasis added).

7. Position Titles and Descriptions – Policy 4.3

Policies and procedures applicable to new job positions are found in Section IV of the Policies entitled "Classification Plan." Specifically, Policy 4.3, entitled, "Position Titles and Descriptions" provides in relevant part as follows:

Each position shall have a written description consisting of a statement describing the nature of the work...

(emphasis added).

8. Classification of New Positions – Policy 4.4

Policies and procedures applicable to new job positions are found in Section IV of the Policies entitled "Classification Plan." Specifically, Policy 4.2, entitled, "Classification of new Positions" provides in relevant part as follows:

Department directors proposing a new position shall provide the HR Department with a description of the duties, responsibilities, skills, knowledge, abilities, qualifications, and other information necessary to properly classify the position utilizing the Position Questionnaire Request Form provided by the HR Department.

9. Reclassification of Positions – Policy 4.5

Policies and procedures applicable to new job positions are found in Section IV of the Policies entitled "Classification Plan." Specifically, Policy 4.5, entitled, "Reclassification of positions" provides in relevant part as follows:

The Director of HR shall recommend changing the classification of existing positions when it is determined that the position is incorrectly classified. Such action is called reclassification and must be reviewed and approved by County Administration.

10. Pay Upon Promotion or Demotion – Policy 5.6

Policies and procedures applicable to an employee's salary are found in Section V of the Policies entitled "Compensation Plan." Specifically, Policy 5.6, entitled, "Pay Upon Promotion or Demotion" provides in relevant part as follows:

Absent an exception approved by the Director of HR or County Administration, a promoted employee shall receive a salary increase to at least the minimum rate of the position to which the promotion is made.

11. Temporary Work at Higher Classification – Policy 5.7

Policies and procedures applicable to an employee's salary are found in Section V of the Policies entitled "Compensation Plan." Specifically, Policy 5.7, entitled, "Temporary Work at Higher Classification" provides in relevant part as follows:

An employee may be required to work at a higher classification on a temporary, incidental, or emergency basis and may do so at the discretion of the department director or County Administration.

- Nonexempt employees may receive a temporary pay raise increase not to exceed Five (5) Steps on the Nonexempt Step Plan at the request of the department director and approval by the Director of HR.
- Exempt employees may receive a temporary pay rate increase not to exceed Ten (10) percent of their base pay rate at the request of the department director and approval by the Director of HR.

At the end of the temporary assignment the employee shall be returned to their previous pay rate minus any annual or merit increases.

(emphasis added).

12. Incentive Pay – Policy 5.8

Policies and procedures applicable to an employee's salary are found in Section V of the Policies entitled "Compensation Plan." Specifically, Policy 5.8, entitled, "Incentive Pay" provides in relevant part as follows:

At the request of the employee's supervisor and the approval by the department director and the Director of HR employees who obtain a professional certification, license, or credential may receive incentive pay based on the following guidelines.

13. Merit Pay Increase – Policy 5.10

Policies and procedures applicable to an employee's salary are found in Section V of the Policies entitled "Compensation Plan." Specifically, Policy 5.10, entitled "Merit Pay Increase" provides in relevant part as follows:

Determination of Merit Increase

Supervisors and managers shall recommend merit-based pay increase for the following reasons:

- To retain an employee
- To reward an employee's performance beyond the annual increase
- Additional duties added to employee current position
- Major re-evaluation of current position
- Status change from PT to FT
- Lateral transfer at the Walton County BCC's request

Review and Approval of Request

Prior to approval the department director, the **Chief Financial Officer, County Administration, and the Director of HR** will:

- Review the reason for the request
- Review the employee's previous performance
- Confirm funding within the budget
- Consider previous similar requests throughout the Walton County BCC for consistency

(emphasis added).

14. Timesheet Violations – Policy 5.12

Policies and procedures applicable to an employee's salary are found in Section V of the Policies entitled "Compensation Plan." Specifically, Policy 5.12, entitled, "Timesheet Violations" provides in relevant part as follows:

Nonexempt employees shall not work any hours outside of their normal workday **unless their supervisor has authorized** the unscheduled work.

(emphasis added).

15. Promotions – Policy 8.2

Policies and procedures applicable to promotions are found in Section VIII of the Policies entitled "Changes in Positions." Specifically, Policy 8.2, entitled "Promotions" provides in relevant part as follows:

Employees desiring a promotion and/or transfer to another position shall apply for a posted position by completing an application on the Walton County BCC Career Portal prior to the job posting end date.

(emphasis added).

E. Analysis and Opinion

1. The Alleged Improper Romantic Relationship Between Mr. Kervin and Ms. McHenry

Although the allegations of a romantic relationship between Mr. Kervin and Ms. McHenry could not be confirmed and both parties deny the existence of such relationship, the Text Message, Ms. McHenry's refusal to provide certain requested information, and circumstances surrounding Ms. McHenry's promotion to an improperly unadvertised position all could be viewed as possible indicia of such a relationship.

Policy 2.1 states that employees are always expected to conduct themselves in a positive manner, including cooperating with all Walton County BCC Investigations. Further, Policy 2.1 states, "any conduct considered inappropriate or unsatisfactory may subject the employee to disciplinary action, up to and including termination of their employment." Ms. McHenry is in violation of Policy 2.1 for refusing to cooperate in the present investigation into the allegations made against her and Mr. Kervin. Specifically, Ms. McHenry refused to produce copies of her iMessages and/or text messages contained on her personal cell phone or on any associated iCloud account records requested by the undersigned and refused to answer any more questions³⁷ about the matter during her July 12, 2024 interview.

Further, both parties contend they have deleted and/or cannot produce a copy of the Text Message, yet maintain that the Text Message was related to work. Although both parties deny the existence of an inappropriate relationship, both Mr. Kervin and Ms. McHenry were unable, and in Ms. McHenry's case unwilling, to provide a copy of the Text Message, or any other messages between the two. Failing to maintain work related records, if that is truly what the content of the Text Message contained, is likely a violation of Florida Statute Chapter 119.

Overall, while Mr. Kervin and Ms. McHenry's testimonies are somewhat similar, key details have been inconsistent and contradictory, such as the content of the Text Message. Regarding the Text Message itself, Ms. McHenry's testimony that the Text Message read "I want *to*" rather than "I want *you*" is inconsistent with the majority of witness testimony and, in fact, directly conflicts with Mr. Kervin's own testimony that the Text Message read "I want you." The undersigned notes that the fact that the Text Message was sent on personal cell phones without any other context or follow up is unusual. Also worth noting is when Ms. Kervin confronted Ms. McHenry about the Text Message on the same day it was sent, Ms. McHenry did not attempt to clear the record by sending Ms. Kervin a screenshot of the Text Message, which according to her repeated assertions said, "I want *to*." The undersigned notes it would have been easy to clear up any miscommunication by producing a copy of the Text Message, which Ms. McHenry did not do when talking to Ms. Kervin, and Mr. Kervin and Ms. McHenry did not do during the course of this investigation.

³⁷ As stated previously, Ms. McHenry *did* talk to the undersigned regarding her Complaint against Ms. Jackson subsequent to her June 24, 2024 email (See Exhibit N), however during this interview she refused to answer any other questions regarding the allegations against her and Mr. Kervin, and only discussed her Complaint against Ms. Jackson.

Regardless, the undersigned has not been able to confirm the existence of a romantic relationship between Mr. Kervin and Ms. McHenry.

Policy 2.12 explicitly prohibits romantic or sexual relationships between management or other supervisory employees and their staff. Policy 2.12 also states that once a relationship is made known, after a review of the situation considering the facts, including but not limited to the reporting relationship between the parties, effect on co-workers, and job titles of the parties, it will need to be determined whether one or both parties need to be moved to another job or department. Although many of the allegations cannot be substantiated, there are conflicting evidence and facts from witness testimony, and Ms. McHenry has refused to further cooperate or produce relevant records. Given the allegations, Ms. McHenry's refusal to cooperate, and the heightened situation of an allegation that involves a department director and a subordinate staff member, taking Policy 2.12 into consideration, it would be HGRS's recommendation to evaluate whether one or both parties could be moved to another department within the County.

2. Ms. McHenry's Promotion to Lead HR Generalist

Ms. McHenry's Promotion to Lead HR Generalist was improper and was violative of multiple Policies. There are two distinct issues with this promotion: (1) Ms. McHenry's promotion was violative as it is expressly against Policies to create a new position without advertising such position and holding a competitive interview process, and (2) the promotion was violative in that it did not follow the required steps to issue a promotion, and instead was passed through the system under the false pretenses of being a "Merit Pay Increase."

a) *Lack of Advertisement and Competitive Process*

The Policies outline the clear and distinct processes for position advertisement. Policy 3.6 states that all positions which a department intends to fill may be announced either internally, externally, or both – indicating that all job positions should be advertised in some way. Further, Policy 3.6 states that all new job positions need to be evaluated in greater detail and approved by County Administration. Although the Lead HR Generalist position was somewhat³⁸ approved by County Administration, the job position was not posted at all, which is a clear violation.

Policy 3.6 requires that candidates for a position must fill out an employment application, and interviews must be conducted in accordance with Policy 3.7. Ms. McHenry did not fill out an application for the Lead HR Generalist position, and no interviews were conducted for this position.

Policy 3.6 allows for job openings to be filled by promotion from within if qualified applicants are available, however, as the plain language of the policy would suggest, one must submit an application to be an applicant, and such policy does not negate the need for position advertisement, application process and interviews. As stated above, Ms. McHenry did not fill out

³⁸ Mr. Sunday has testified that although he ultimately approved the Lead HR Generalist position, he did not have a full understanding that this was an entirely new position.

any kind of application for this position. While it may have been appropriate to promote her from within, the procedures to do so outlined in Policy 3.6 were not followed.

Further, Policy 3.7. sets the guidelines for interviews and indicates that interviews must in fact occur. As we know from witness testimony, no interviews took place for the Lead HR Generalist position.

The undersigned believes that the position of Lead HR Generalist is a new position that is distinct from the position of HR Generalist. As Policy 4.3 requires, the Lead HR Generalist position has its own position number and own job description, as confirmed by witnesses testimony and documentation, which is different from that of the HR Generalist position number and job description. (See the two different job descriptions attached as Exhibit C). Because this is a new job position, it was required to be approved by the County Administration and the Chief Financial Officer, which it was, but once approved, was not advertised according to Policy. Even in the event that the Lead HR Generalist position should not properly be considered a new position, filling such job opening would still require advertisement and a competitive interview process. There was no advertisement of this job, and a competitive interview process was not held.

Documentation shows that the Lead HR Generalist position was created by or was at least contemplated Mr. Kervin on February 20, 2024, as shown in Exhibit F. This is directly contradictory to Mr. Kervin's contention that he did not think to create this position until April 2024 after Ms. Goodson's resignation. Further, documentation shows that the Lead HR Generalist position was not advertised, which was confirmed by Mr. Kervin's testimony that the position, in fact, was not advertised. Moreover, Ms. McHenry testified that Mr. Kervin "approached" her for the position, indicating again that the position was not advertised, but rather was seemingly created for Ms. McHenry.

b) *Promotion Not According to Policies and Improperly Presented*

The Policies outline the clear and distinct processes for issuing a promotion. Policy 8.2 states, "Employees desiring a promotion and/or transfer to another position shall apply for a posted position by completing an application on the Walton County BCC Career Portal prior to the job posting end date." Many aspects of Ms. McHenry's promotion are not according to Policies. Policies emphasize that the position must be posted (it was not), and Ms. McHenry did not complete an application for her promotion.

Further, this promotion was presented under the premise of a Merit Pay Increase and was not presented as a Policy 8.2 promotion. Policies allow for merit-based pay raises, as outlined in Policy 5.10. Such Merit Pay Increases must be approved by the Chief Financial Officer, County Administration, and the Director of HR. These named positions will review the reason for the request, review the employee's previous performance, confirm funding within the budget, and consider previous similar requests for consistency. Attached hereto as Exhibit M is the Merit Pay Increase form Mr. Kervin submitted for Ms. McHenry. While a Merit Pay Increase was likely consistent with Ms. McHenry taking on additional responsibilities after Ms. Goodson's resignation, this particular Merit Pay Increase form is notable because it includes Ms. McHenry's

title change to Lead HR Generalist. The title change indicated on this form is, by all accounts, a promotion. Policy 5.10 does not include any language that would allow for a promotion to take place as a part of a Merit Pay Increase. On the contrary, Policy 5.6 specifically allows for a pay increase upon a promotion, with no mention of using a Merit Pay Increase as a means for issuing a promotion. Using the Merit Pay Increase form to promote an employee is violative of Policies 5.6, 5.10 and 8.2.

Moreover, the undersigned finds that Policies 4.5, 5.7 and 5.8 are not applicable to this particular promotion, and do not provide justifications for the manner in which this promotion was issued.

c) *Other Considerations*

Mr. Kervin, Mr. Sunday and Ms. McHenry all presented examples of jobs within the County that are sometimes promoted without advertising. Mr. Kervin and Mr. Sunday gave examples of skill-based positions such as an equipment operator or technician. Ms. McHenry testified she has seen a code supervisor get a promotion without advertising but did not elaborate on more details or evidence.

For example, the Building and Construction & Maintenance Department has the position of “Facilities Maintenance Technician.” This position is further broken out into different skill levels, such as “Facilities Maintenance Technician I,” “Facilities Maintenance Technician II,” and “Facilities Maintenance Technician III.” Accordingly, Mr. Kervin and Mr. Sunday suggested that people in positions like these often advance to higher positions without going through an interview process. The undersigned believes that a skill-based position such as Facilities Maintenance Technician is not comparable to the situation at hand. The HR Generalist and Lead HR Generalist positions are not what the undersigned would consider a “skill-based” position that one can fluidly move between. Further, even if an employee in a skill-based position was qualified for a promotion, such promotion would need to follow Policies, which Ms. McHenry’s promotion to Lead HR Generalist did not.

Without knowing more details, the undersigned would suggest that if true, such promotion of a code supervisor as alleged by Ms. McHenry is not comparable to this situation in that the Lead HR Generalist position was an entirely new position requiring advertisement, and regardless, Ms. McHenry’s promotion did not follow the necessary steps to obtain such promotion, as discussed herein. Further, the code supervisor getting a promotion as alleged by Ms. McHenry would still need to follow Policy 8.2 and fill out an application for a posted position.

d) *Violation of Policies Regarding the Lead HR Generalist Position*

Mr. Kervin violated Policy 3.6 because he (1) did not advertise the Lead HR Generalist position and (2) did not accept applications for the Lead HR Generalist position. Mr. Kervin violated Policy 3.6 and 3.7. for not holding a competitive interview process for the Lead HR Generalist position. Mr. Kervin violated Policy 8.2 because he (1) did not post the Lead HR Generalist position, (2) did not consider other “applicants” besides Ms. McHenry and (3) issued

the promotion in an incorrect manner. Mr. Kervin violated Policies 5.6 and 5.10 for issuing Ms. McHenry a pay raise in conjunction with her promotion in a manner that was not according to Policies, as discussed in detail below.

3. Ms. McHenry's Pay Raises; and the Temporary Pay Raise Given to Ms. McHenry and Ms. Laird.

a) *July 2023 Pay Raises for Ms. McHenry and Ms. Laird*

Ms. McHenry and Ms. Laird's temporary pay raises on July 29, 2023 were likely appropriate at the time, but according to Policy 5.7 should have been reduced once HR Generalists Samantha Spain and Kacey Cook were hired in October 2023.

Policy 5.7 provides that an employee may receive a temporary pay increase in the event an employee takes on additional duties on a temporary basis. Policy 5.7 expressly states, "At the end of the temporary assignment the employee shall be returned to their previous pay rate minus any annual or merit increases." Witness testimony suggests that the additional duties Ms. McHenry and Ms. Laird took on were in fact temporary, and Ms. Spain and Ms. Cook took over such temporary duties in October 2023.

In July 2023, HR Generalist Myland Hicks resigned. After Mr. Hicks left, Ms. McHenry and Ms. Laird were given many of Mr. Hicks's duties and were awarded a temporary pay raise in conjunction with these additional temporary duties. In October 2023, the HR Department hired Ms. Spain and Ms. Cook as two new HR Generalists. Ms. Spain and Ms. Cook assumed many of Mr. Hicks duties, which then alleviated Ms. McHenry and Ms. Laird's additional temporary duties. However, both Mr. Kervin and Ms. McHenry acknowledged in their interviews that Ms. McHenry's "temporary" pay raise was never returned to her previous pay rate. Mr. Kervin also acknowledged that Ms. Laird's pay was never reduced after the temporary additional duties were alleviated.

During his interview, Mr. Kervin stated that the County rarely, if ever, reduces someone's pay rate. While this may be the County's practice, it is expressly against Policy 5.7 to not return to original pay rates after a temporary assignment is over. That being the case, the undersigned suggests that the County either adhere to Policy 5.7, or to revise the Policy to more accurately align with the County's practice.

However, given that the current Policies provide that temporary pay increases must be returned to an employee's normal base rate, the unreduced temporary pay raise for Ms. McHenry and Ms. Laird is a violation of Policies because two new HR Generalists were hired to assume Mr. Hicks duties.

b) *November 2023 Pay Raise for Ms. McHenry*

Ms. McHenry's second pay raise on November 4, 2023 was appropriate because she received additional certifications that qualified her for the raise in accordance with Policy 5.8 Incentive Pay.

Policy 5.8 states employees who obtain a professional certification, license, or credential may receive incentive pay. Ms. McHenry received an additional certification, and as required by Policies, a copy of such certification is in her personnel file. Accordingly, Ms. McHenry's Incentive Pay raise in November 2023 was appropriate and according to Policies.

c) *May 2024 Pay Raise for Ms. McHenry*

Ms. McHenry's recent pay raise with her promotion on May 2, 2024 to Lead HR Generalist was improper and a violation of Policies.

As stated above, Ms. McHenry's promotion in May 2024 was violative of Policies, and the pay raise she received with such promotion is violative of Policy 5.6. The pay raise Ms. McHenry received in May 2024 was issued under Policy 5.10 as a Merit Pay Increase. Such a pay increase was not issued correctly as Policy 5.10 is not an avenue for promotions, rather Policy 8.2 dictates promotions. Policy 5.6 titled "Pay Upon Promotion or Demotion," is the Policy by which Ms. McHenry should have received her pay raise, notwithstanding the fact that the promotion was improperly issued to begin with. Policy 5.6 specifically allows for a pay increase upon a promotion, with no mention of using a Merit Pay Increase as a means for issuing a promotion. Using the Merit Pay Increase form to give a raise in conjunction with a promotion is violative of Policies 5.6 and 5.10.

d) *Violations of Policies Regarding Pay Raises*

Because Policies currently require temporary pay raises to be reduced once temporary assignments are over, Mr. Kervin, as the employee responsible for entering the temporary pay raises (*See Exhibits I and J*), violated Policy 5.7 by not reducing Ms. McHenry and Ms. Laird's temporary pay. When the two new HR Generalists were hired in October 2023 to replace Mr. Hicks, Ms. McHenry and Ms. Laird's temporary assignments specific to Mr. Hick's resignation were absorbed, therefore their salary should have returned to the normal rate.

There are no Policy violations for Ms. McHenry's November 2023 incentive raise. However, Ms. McHenry's May 2024 raise was violative of Policies. Mr. Kervin violated Policies 5.6 and 5.10 by improperly giving Ms. McHenry a raise, specifically doing so using the Merit Pay Increase form which does not account for promotions or raises because of promotions. However, the undersigned maintains that these Policy violations are secondary in that Ms. McHenry's promotion was improper to begin with.

4. Ms. Goodson's Reports Regarding the HR Department.

Mr. Kervin likely appropriately handled the two instances regarding Gladys Goodson and Department Directors.

Regarding the situation with Mr. Wright, Mr. Kervin appropriately and according to Ms. Goodson's request, removed Ms. Goodson from the Public Works Administration Department. It was ultimately Ms. Goodson's request to be removed from Public Works, and once Ms. Goodson was removed from the Department, the problem was addressed and alleviated. Ms. Goodson alleged that Mr. Kervin never addressed her written report regarding Mr. Wright, however Mr.

Kervin addressed the situation with Ms. Goodson in person, and accepted her request to be removed from the department.

Regarding the situation with Mr. Cornman, Mr. Kervin told Ms. Goodson she could address the situation with Mr. Cornman directly, and in addition, Mr. Kervin addressed the situation with Mr. Cornman directly. There is no written documentation regarding the incident with Mr. Cornman, and Mr. Kervin and Ms. Jackson both stated in their interviews that they were never informed of the alleged inappropriate gesture made by Mr. Cornman. The undersigned notes that, although it was within Mr. Kervin's discretion to remove Ms. Goodson from the Code Department, the timing of such removal was perhaps inappropriate given the conflict between Mr. Cornman and Ms. Goodson.

The undersigned believes Mr. Kervin likely appropriately handled Ms. Goodson's reports, and any of Ms. Goodson's reports regarding Mr. Kervin and the HR Department are unsubstantiated.

5. The Alleged Discrimination, Harassment and Retaliation Against Ms. McHenry by Ms. Jackson.

Ms. McHenry's Complaint of being "discriminated against, harassed and retaliated against" by Ms. Jackson cannot be substantiated, and further, Ms. Jackson's actions and behaviors towards Ms. McHenry have seemingly been professional, justified by the practices of the HR Department and Policies, and are not violative of any Policies.

Ms. McHenry's Complaint, on its face, fails to set forth any evidence of Ms. Jackson discriminating, harassing or retaliating against Ms. McHenry. Policy 2.10 states, "Harassment is a form of offensive behavior in which a person targets another employee(s) relating to an individual's age, race, color, sex (including same-sex sexual harassment), religion, national origin, gender identity or expression, or sexual orientation, or disability." In her interview Ms. McHenry stated, on multiple occasions, Ms. Jackson was allegedly discriminating against her because of a conflict with Ms. Goodson. Ms. McHenry never alleged that Ms. Jackson was discriminating against her because of age, race, color, sex religion, national origin, gender identity or expression, or sexual orientation, nor disability. On that basis alone, Ms. Jackson has not engaged in behavior that could be considered discriminatory or harassing.

Further, Policy 2.17, which addresses retaliation, references retaliation in relation to an employee who has reported a violation of some kind. Ms. McHenry has not alleged that she has reported any kind of violation and has not alleged that Ms. Jackson has retaliated against her for making any kind of report of a violation.

Most, if not all, of Ms. Jackson's actions towards Ms. McHenry are justified. For example, Policy 5.12 expressly states, "Nonexempt employees shall not work any hours outside of their normal workday unless their supervisor has authorized the unscheduled work." Ms. McHenry alleging she has been discriminated against by "not being allowed" to work weekends is unfounded. First, Ms. Jackson never said Ms. McHenry was not allowed to work weekends as alleged. Ms. Jackson's email, attached hereto as Exhibit O, clearly shows Ms. Jackson

reasonably, and according to Policy 5.12, stated employees need prior approval before working on the weekends. Second, Ms. Jackson requiring her direct reports to get prior approval before working on the weekends is appropriate and according to Policies. Lastly, as Ms. Jackson testified in her interview, her email was not solely directed at Ms. McHenry, but was a general statement to the whole department as other employees had recently worked on weekends.

While there is not a policy regarding working from home, practice in the HR Department does not require employees to work from home when they are sick, therefore, it was appropriate for Ms. Jackson to tell Ms. McHenry she is not required to work from home.

Ms. Jackson's actions regarding Ms. McHenry's schedule change were appropriate and according to HR Department practices. It is within Ms. Jackson's discretion to deny a schedule change that is outside working hours and without extenuating circumstances. According to both Ms. McHenry and Ms. Jackson's interviews, the other HR employees who have had a schedule change have either (1) had extenuating circumstances or (2) the change was still within the HR Department's working hours of 7:00am to 5:30pm. Ms. McHenry made a request to change her hours outside of the normal working hours, and did not have an extenuating circumstance to justify the requested change, therefore it was within Ms. Jackson's discretion as the HR Manager to deny Ms. McHenry's request.

Ms. McHenry's Complaint that Ms. Jackson make grammatic changes to her work is trivial and non-discriminatory as Ms. Jackson is Ms. McHenry's supervisor. Similarly, Ms. Jackson asking Ms. McHenry a seemingly valid question regarding the summer students is not a form of discrimination.

A few of Ms. McHenry's Complaints can only be characterized as inconsequential, such as Ms. Jackson allegedly asking Ms. McHenry if she arrived at a work-related event on time, or Ms. Jackson asking Ms. McHenry about an appointment on her calendar in causal, office conversation.

Ms. McHenry's overall Complaint is found by the undersigned to lack basis. Ms. Jackson, as Ms. McHenry's direct supervisor, has authority to instruct Ms. McHenry on many topics, such as job descriptions, and has the authority to approve/deny requests such as schedule changes, working from home, or working on the weekends.

The undersigned has not found any evidence of Ms. Jackson acting inappropriately towards Ms. McHenry. While there may be tension among certain HR Department employees, the undersigned has not found any evidence of discrimination or harassment by Ms. Jackson against Ms. McHenry.

F. Recommendations

1. Disciplinary Action Recommendation for Nathan Kervin

Mr. Kervin has violated several Policies regarding Ms. McHenry's promotion and pay raise. As a result of such violations, Mr. Kervin should receive, at minimum, a written reprimand to be placed in his personnel file. The undersigned notes that while the evidence could be viewed

to suggest the possibility of an inappropriate relationship between Mr. Kervin and Ms. McHenry, Mr. Kervin has been cooperative in this investigation, Mr. Kervin has denied such allegations, and the undersigned is unable to substantiate such claims. The undersigned suggests that Mr. Kervin be instructed to adhere to all Policies regarding new job positions, promotions and pay raises moving forward, and suggests that the County may consider the option of Mr. Kervin and Ms. McHenry working in different departments as discussed below.

2. Disciplinary Action Recommendation for Tina McHenry

Because of Ms. McHenry's refusal to cooperate further in the investigation and refusal to produce records, Ms. McHenry should be subject to discipline. At a minimum, Ms. McHenry should be issued written reprimand to be placed in her personnel file. At a maximum, Ms. McHenry may face termination for her failure to cooperate in an ongoing investigation pursuant to the Garrity Acknowledgement she signed prior to the investigation and pursuant to Policy 2.1. Alternatively, because of inconsistent testimony and the weight of evidence, County Administration may consider whether it is feasible to move Ms. McHenry to another department and place her in a different position within the County as consistent with Policy 2.12.

3. Reevaluation of Certain Policies

The undersigned suggests that some Policies not currently being followed by the County should be reevaluated. For example, Mr. Kervin and Mr. Sunday indicated that the County, in practice, does not reduce an employee's pay once they receive a raise, even if such a raise is categorized as temporary. The County should consider reforming Policies like Policy 5.7 to fit County practice or alter County practice to adhere to Policies currently in place.

We are available to discuss further and respond to any questions or comments at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read 'David Allen Roberts', written in a cursive style.

David Allen Roberts

EXHIBIT A

Policy 2.1 – General Conduct

It is the policy of the Walton County BCC that certain rules and regulations regarding employee behavior are necessary for efficient business operations and for the benefit and safety of all employees. Conduct that interferes with county operations, discredits the Walton County BCC, or is offensive to citizens or coworkers shall not be tolerated.

Employees are always expected to conduct themselves in a positive manner to promote the best interests of the Walton County BCC. Appropriate employee conduct includes:

- Treating all visitors and coworkers in a courteous manner.
- Refraining from behavior or conduct that is offensive, undesirable, or which is contrary to the Walton County BCC's best interests (including conduct outside of work while in clothing or vehicles that identify or imply the individual is or may be a Walton County BCC employee and may be on duty).
- Reporting to management suspicious, unethical, unsafe, or illegal conduct by coworkers or suppliers.
- Reporting to management any threatening or potentially violent behavior by coworkers.
- Cooperating with all Walton County BCC investigations.
- Complying with all Walton County BCC safety and security regulations.
- Wearing clothing appropriate for the work being performed.
- Performing assigned tasks efficiently and in accord with established quality standards.
- Reporting to work punctually as scheduled and being at the proper workstation, ready for work, at the assigned starting time.
- Giving proper advance notice whenever unable to work or report on time.
- Smoking only at times and in places not prohibited by Walton County BCC rules or local ordinances.
- Eating meals only during meal periods and only in the designated eating areas.
- Maintaining cleanliness and order in the workplace, work areas, and Walton County BCC owned vehicles.

The following conduct are examples of prohibited behavior or actions, and individuals engaged in such conduct shall be subject to discipline, up to and including termination:

- Engaging in threatening acts of workplace violence.
- Engaging in any form of sexual or other harassment.
- Reporting to work under the influence of alcohol, illegal drugs, or narcotics or using, selling, dispensing, or possessing illegal drugs or narcotics on Walton County BCC premises.
- Disclosing trade secrets or confidential Walton County BCC information.
- Falsifying or altering any Walton County BCC record or report, such as an employment application, medical reports, production records, time records, expense accounts, absentee reports, or shipping and receiving records.

- Stealing, destroying, defacing, or misusing Walton County BCC property or another employee's or citizen's property.
- Misusing Walton County BCC communications systems, including electronic mail, computers, Internet access, and telephones.
- Refusing to follow management's instructions concerning a job-related matter or being insubordinate.
- Failing to wear assigned safety equipment or failing to abide by safety rules and policies.
- Soliciting or distributing in violation of Walton County BCC policies.
- Smoking where prohibited by local ordinance or Walton County BCC rules.
- Using profanity or abusive language.
- Sleeping on the job without authorization.
- Gambling, playing pranks or engaging in horseplay.
- Wearing improper attire or having an inappropriate personal appearance.
- Use, sale, distribution, or possession of alcoholic beverages or drugs on Walton County BCC premises, in a Walton County BCC uniform, or in a Walton County BCC owned vehicle.
- Assault or battery of a fellow employee or citizen.
- An employee's failure to report their misdemeanor or felony arrest to management.
- An employee's failure to report their suspended required license to management.

The above examples of impermissible behavior described above are not intended to be an all-inclusive list. At County Administration or the department director's discretion, any violation of the Walton County BCC's policies or any conduct considered inappropriate or unsatisfactory may subject the employee to disciplinary action, up to and including termination of their employment. The Walton County BCC reserves the right to determine the appropriate level of discipline and is not required to proceed through any specific series of action. Questions about this policy should be directed to the HR Department.

Policy 2.10 – Workplace Harassment

It is the policy of the Walton County BCC to promote a productive work environment and the Walton County BCC shall not tolerate verbal or physical conduct by any employee that harasses, disrupts, or interferes with another employee's work performance or that creates an intimidating, offensive, or hostile environment.

- Employees are expected to maintain a productive work environment that is free from harassing or disruptive activity. No form of harassment shall be tolerated, including harassment for the following reasons: age, race, color, sex, gender expression or orientation, religion, national origin, marital status, gender identity, sexual orientation, disability, or any other protected status in accordance with the requirements of all federal, state, and local laws. Special attention should be paid to the prohibition of sexual harassment.
- Each department director and supervisor have a responsibility to keep the workplace free of any form of harassment, and in particular, sexual harassment. No department director or supervisor shall threaten or insinuate, either explicitly or implicitly, that an employee's refusal or willingness to submit to sexual advances shall affect the employee's terms or conditions of employment.
- Other sexually harassing or offensive conduct in the workplace, whether committed by department directors, supervisors, non-supervisory employees, or non-employees, is also prohibited. This conduct includes:
 - Unwanted physical contact or conduct of any kind, including sexual flirtations, touching, advances, or propositions.
 - Verbal harassment of a sexual nature, such as lewd comments, sexual jokes or references, and offensive personal references.
 - Demeaning, insulting, intimidating, or sexually suggestive comments about an individual.
 - The display in the workplace of demeaning, insulting, intimidating, or sexually suggestive objects, pictures, or photographs.
 - Demeaning, insulting, intimidating, or sexually suggestive written, recorded, or electronically transmitted messages (such as email, instant messaging, and Internet materials).

Any of the above conduct, or other offensive conduct, directed at individuals because of their age, race, color, sex, gender identity, expression or orientation, religion, national origin, marital status, disability, pregnancy, or military status is also prohibited.

- Any employee who believes that a department director's, supervisor's, other employees, or non-employee's actions or words constitute unwelcome harassment has a responsibility to report or file a complaint about the situation as soon as possible. The report or complaint should be made to the employee's supervisor, the department director, or Director of HR if the complaint involves the department director or supervisor.
- Complaints of harassment shall be handled and investigated under the Walton County BCC's Dispute Resolution Policy (**Section XI – Dispute Resolution**) unless special procedures are considered appropriate. All complaints of harassment shall be investigated promptly and in an impartial and confidential manner as possible. Employees are required to cooperate in any investigation. A timely resolution of each complaint should be reached and communicated to all parties involved.

- Any employee, supervisor, or department director who is found to have violated **Policy 2.10 - Workplace Harassment** will be subject to appropriate disciplinary action, up to and including termination of their employment. The Walton County BCC prohibits any form of retaliation against employees for bringing bona fide complaints or providing information about harassment.

Harassment is a form of offensive behavior in which a person targets another employee(s) relating to an individual's age, race, color, sex (including same-sex sexual harassment), religion, national origin, gender identity or expression, or sexual orientation, or disability. It constitutes discrimination and is illegal under federal, state, and local laws.

For the purposes of this policy, "sexual harassment" is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment
- submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual
- such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment

Title VII of the Civil Rights Act of 1964 recognizes two types of sexual harassment: a) quid pro quo and b) hostile work environment. Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess, or sexual deficiencies; leering, whistling, or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal, or visual conduct of a sexual nature.

This policy applies to all employees of the Walton County BCC working at all locations. All employees have an obligation to report sexual harassment—even if they are not the victim.

All workers, including supervisors and managers, shall be subject to discipline, up to and including termination of employment for any act of sexual harassment they commit.

Examples of Prohibited Conduct

Though sexual harassment encompasses a wide range of conduct, some examples of specifically prohibited conduct include the following:

- Physical assaults of a sexual nature, such as rape, sexual battery, molestation or attempts to commit these assaults, and intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another employee's body, or poking another employee's body.

- Unwelcome sexual advances, propositions, or other sexual comments, such as sexually oriented gestures, noises, remarks, jokes or comments about a person's sexuality or sexual experience.
- Preferential treatment or promises of preferential treatment to an employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward.
- Subjecting, or threats of subjecting, an employee to unwelcome sexual attention or conduct or intentionally making performance of the employee's job more difficult because of that employee's sex.
- Sexual, discriminatory displays or publications anywhere in the workplace by our employees.
- Retaliation for sexual harassment complaints.

Responding to Violations of this Policy

If an employee believes that they have been subject to sexual harassment or any unwelcome sexual attention, they may address the situation directly and immediately to the harasser, if possible. If the inappropriate conduct does not cease, or if the employee is unable to or uncomfortable with addressing the alleged harasser directly, they should report the incident to their own supervisor or manager. If the inappropriate conduct does not cease, or if the employee is unable to or uncomfortable with addressing the situation with the supervisor or manager, they should report the incident to the Director of HR. If the Director of HR is not available or the employee is uncomfortable addressing the situation with the Director of HR, the employee may report the incident to the Walton County BCC Attorney.

It is important to report all concerns of sexual harassment or inappropriate sexual conduct to the Director of HR or a supervisor/manager as soon as possible. Management must be made aware of the situation so that it can conduct an immediate and impartial investigation and take appropriate action to remediate or prevent the prohibited conduct from continuing.

Employees who violate this policy are subject to disciplinary action, up to and including termination of their employment. If an investigation results in a finding that this policy has been violated, the mandatory minimum discipline is a written reprimand. The discipline for very serious or repeat violations is termination of employment. Employees who violate this policy may also be subject to civil damages or criminal penalties.

All inquiries, complaints and investigations are treated discreetly. Information is revealed strictly on a need-to-know basis. Information contained in a formal complaint is closely contained. All information pertaining to a sexual harassment complaint or investigation is maintained by the Director of HR in secure files. The Director of HR can answer any questions relating to the procedures for handling information related to sexual harassment complaints and investigations to complainants and respondents.

Federal, state, and local laws prohibit punishing job applicants or employees for asserting their right to be free from discrimination, harassment, or inappropriate sexual conduct. Asserting these rights is called "protected activity," and it can take many forms. For example, it is unlawful to retaliate against applicants or employees for:

- Filing or being a witness in a complaint, investigation, or lawsuit

- Communicating with a supervisor or manager about employment discrimination, including harassment
- Answering questions during an employer investigation of alleged harassment
- Refusing to follow orders that would result in discrimination
- Resisting sexual advances, or intervening to protect others
- Requesting accommodation of a disability or for a religious practice

Participating in a complaint process is protected from retaliation under all circumstances. Other acts to oppose discrimination are protected if the employee was acting on a reasonable belief that something in the workplace may violate federal, state, and/or local laws addressing the employment relationship, even if they did not use legal terminology to describe it or is ultimately incorrect about the issue, provided the employee has made complaint in good faith.

Engaging in protected activity, however, does not shield an employee from all discipline or discharge. Employers are free to discipline or terminate employees if motivated by non-retaliatory and non-discriminatory reasons that would otherwise result in such consequences.

Policy 2.12 – Workplace Personal Relationships

The Walton County BCC prohibits romantic or sexual relationships between management or other supervisory employee and their staff (an employee who reports directly or indirectly to that person) because such relationships tend to create compromising conflicts of interest or the appearance of such conflicts. In addition, such a relationship may give rise to the perception by others that there is favoritism or bias in employment decisions. Moreover, given the uneven balance of power within such relationships, consent by the staff member is suspect and may be viewed by others or, later, by the staff member as having been given as the result of coercion or intimidation. The atmosphere created by such appearances of bias, favoritism, intimidation or coercion or exploitation undermines the spirit of trust and mutual respect that is essential to a healthy work environment. This policy applies to all employees without regard to the gender of the individuals involved.

If any supervisory or management employee enters a consensual relationship that is romantic or sexual in nature with a member of their staff (an employee who reports directly or indirectly to them), or if one of the parties is in a supervisory capacity in the same department in which the other party works, the parties must notify the department director. Although the parties may feel that what they do during non-working hours is their business and not the business of the office, because of potential issues regarding "quid pro quo" harassment, this is a mandatory requirement. This requirement does not apply to employees who do not work in the same department or parties who do not supervise or otherwise have management responsibilities over others.

Once the relationship is made known to the department director, the department director with support from the Director of HR will review the situation considering all the facts (reporting relationship between the parties, effect on co-workers, job titles of the parties, etc.) and will determine whether one or both parties need to be moved to another job or department. That decision will be based on which move will be least disruptive to the organization.

If it is determined that one or both parties must be moved, but no other jobs are available for either party, one or both parties may be terminated.

Policy 2.17 – Whistleblower and Retaliation

The Walton County BCC is committed to providing a workplace and citizen service arena in which there is open discussion of operations and practices. Accordingly, anyone who has reason to believe the Walton County BCC is violating or not complying with state or federal statutes, rules or regulations is encouraged to report the concern to their department leadership, County Administration, any County Commissioner, or the HR Department.

The report shall be investigated and even if determined not to be misconduct, fraud, or abuse, the individual making the report shall not be retaliated against. There shall be no punishment, retaliation, or any other type of discrimination for reporting problems.

No Retaliation

No employee who, in good faith, reports a violation of the Code of Ethics shall suffer harassment, retaliation, or adverse employment consequence. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns within the Walton County BCC prior to seeking resolution outside the organization.

Reporting Violations

The Walton County BCC operates with an open-door policy and suggests that employees share their questions, concerns, suggestions, or complaints with someone who can address them properly. In most cases, an employee's management team is in the best position to address an area of concern. However, if an employee is not comfortable speaking with their management team or the employee is not satisfied with the response, the employee is encouraged to speak with the HR Department. The management team is required to report suspected violations of the code of conduct to County Administration, who has specific and exclusive responsibility to investigate all reported violations. For suspected fraud, or when an employee is not satisfied or is uncomfortable with following the organization's open-door policy, individuals should contact the Director of HR directly.

NOTE: Florida's "Whistle-blower's Act" provides protection against retaliatory action to those reporting information. See *F.S. 112.3187 to 112.31895* for detail.

Policy 3.6 – Competitive Process

It is the policy of the Walton County BCC to be an equal opportunity employer and to hire individuals based on their qualifications and ability to do the job. All positions which a department intends to fill may be announced either internally, externally, or both at the request of the department director and approval of the Director of HR.

Department directors and supervisors who need to fill a job opening or want to add a new job position should submit an employment requisition to HR Department for approval. All requisitions will be reviewed and approved by the Director of HR, but those for a new job position will be evaluated in greater detail and approved by County Administration.

The Walton County BCC may attempt to fill job openings above entry level by promoting from within if qualified internal applicants are available.

Any candidate for employment must fill out and sign an employment application to be considered for employment.

The HR Department will consider requests for accommodation for disabilities and religious beliefs and will determine what, if any, accommodation will be provided.

All applications are screened for qualifications. Only applicants determined to meet all minimum qualifications shall be considered for available job openings. These applicants shall be referred to the hiring manager by the HR Department.

The department director has the responsibility to determine whether an applicant is technically qualified for the open position and meets the other job-related criteria necessary to perform the job. The final decision whether to hire the applicant shall be made by the department director, but must also have the approval of the Director of HR. Starting rates of pay shall be in accordance with **Policy 5.3 – Starting Rate Policy** and **Policy 8.2 – Promotion Policy**.

Interviews shall be conducted in accordance with **Policy 3.7 – Interview Process Policy**. Applicants not chosen as a finalist will be notified via the method provided on the application. These applications will remain on file electronically in accordance with Florida Records Retention requirements.

Policy 3.7 – Interview Guidelines

All appointments shall be made based on merit by a competitive interview process, which may include, but not restricted to, any one or more of the following: oral interview, written test, performance test, evaluation of training and experience, education, length of time in present position, and any other applicable criteria which will fairly measure the relative abilities of individuals competing in examinations.

Reasonable accommodations will be provided in the interview process when requested by any job applicants who requests them.

A minimum of three (3) candidates and a maximum of six (6) candidates may be interviewed for each open FTE position. When interviewing for a department director or management position the hiring manager may select to interview a maximum of ten (10) candidates when two (2) levels of interviews are required.

The interview panel shall be comprised of three (3) or more members to include the position supervisor, department director or exempt-level department employee, and an exempt-level employee outside the hiring position's department. Prior approval by the Director of HR is required for all non-Walton County BCC employee panel members. A second interview may be required at the request of the interview panel, department director, Director of HR, or County Administration.

Following an interview, the HR Department will make available, upon request, the results in accordance with Chapter 119, *Florida Statutes*.

Any exception to this process shall be approved in advance by the Director of HR.

Policy 4.3 – Position Titles and Descriptions

The position title and Position Control number of an official position shall be used to designate the position in all budget estimates, payrolls, and other official records, documents, vouchers, and communications in connection with all human resources processes.

Each position shall have a written description consisting of a statement describing the nature of the work, the essential duties and functions of the position, the required knowledge, skills, abilities, and qualifications including education, experience, and training required for the position.

Position descriptions are intended to be representative of the positions in the class and to provide illustrations of the responsibilities and duties of the position. Position descriptions should not be interpreted as restricting a supervisor from assigning other pertinent duties to an employee.

Policy 4.4 – Classification of New Positions

Department directors shall promptly notify the HR Department of the need for new positions and allow sufficient time for a review and recommendation concerning the request. To the extent feasible, actions that may result in the establishment of new positions may be processed as part of the normal budget cycle. Each department director is responsible for obtaining board approval for any additional FTEs.

Department directors proposing a new position shall provide the HR Department with a description of the duties, responsibilities, skills, knowledge, abilities, qualifications, and other information necessary to properly classify the position utilizing the **Position Questionnaire Request Form** provided by the HR Department.

The HR Department will review the request for a new position together with any other pertinent information along with County Administration. If they determine it to be in the Walton County BCC's best interests, the position shall be approved, and the HR Department will update to the Walton County BCC Classification Plan.

Policy 4.5 – Reclassification of Positions

The Director of HR shall recommend changing the classification of existing positions when it is determined that the position is incorrectly classified. Such action is called reclassification and must be reviewed and approved by County Administration. If an employee has facts that indicate that their position is improperly classified, the employee may request the Director of HR review the classification of the position, with the knowledge of their department director. Such a request shall be submitted in writing and shall contain a statement of justification. For this or any other type of request for reclassification from any source, the HR Department may investigate actual or suggested duties of the position and reclassify the position to the appropriate location within position control if warranted. Reclassification may occur as the result of the conditions described below.

- The position was incorrectly classified and there has been no substantial change in duties from those in effect when the position was originally categorized. If the position is occupied at the time of reclassification, the employee shall be entitled to serve therein and retain the corresponding status after the position is reclassified.
- There has been a substantial change in the duties and responsibilities associated with a position since it was classified to a particular grade. If the position is assigned a higher pay grade than the current position, such action is considered an upgrade for the position. If the position is occupied at the time of an upgrade, the incumbent may be reclassified, but does have to meet the minimum qualifications of the new position if they are changed. A salary adjustment may be granted in accordance with **Policy 5.6 – Pay Upon Promotion or Demotion**.

Policy 5.6 – Pay Upon Promotion or Demotion

Promotion:

Absent an exception approved by the Director of HR or County Administration, a promoted employee shall receive a salary increase to at least the minimum rate of the position to which the promotion is made. If the employee's training, experience, or other qualifications are substantially above those required for the position; a starting salary may be granted above the minimum rate, not exceeding ten (10) steps for nonexempt positions or twenty (20) percent for exempt positions, subject to the approval of the department director and the Director of HR, provided the increase does not exceed the maximum rate for the position to which the promotion is made.

Demotion:

Absent an exception approved by County Administration, a demoted exempt employee shall receive a decrease in salary of five (5) percent for each Position Pay Range level the employee is demoted or the maximum rate of the position to which the demotion is made depending on the lesser rate. A nonexempt employee who is demoted will move to their current step within the new Position Pay Grade on the Nonexempt Step Plan.

	Pay Grade	Pay Range	
PROMOTION		224	DEMOTION
		223	
		222	
		221	
		220	
		219	
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Policy 5.7 – Temporary Work at Higher Classification

An employee may be required to work at a higher classification on a temporary, incidental, or emergency basis and may do so at the discretion of the department director or County Administration. Any such temporary assignment shall not affect the employee's eligibility for normal merit advancements. Documentation of employee temporary assignments should be included in the personnel records.

- Nonexempt employees may receive a temporary pay rate increase not to exceed Five (5) Steps on the Nonexempt Step Plan at the request of the department director and approval by the Director of HR.
- Exempt employees may receive a temporary pay rate increase not to exceed Ten (10) percent of their base pay rate at the request of the department director and approval by the Director of HR.

At the end of the temporary assignment the employee shall be returned to their previous pay rate minus any annual or merit increases.

Any exception to this policy must be approved by the Director of HR with guidance from County Administration.

Policy 5.8 – Incentive Pay

It is the intent of the Walton County BCC to encourage the professional development of its employees. One way in which the Walton County BCC rewards professional development is through incentive pay for achieving certain certifications that are related to the employees' current position within the organization.

At the request of the employee's supervisor and the approval by the department director and the Director of HR employees who obtain a professional certification, license, or credential may receive incentive pay based on the following guidelines. A copy of the certification must be submitted to the HR Department prior to the increase in salary.

Nonexempt Employees

- Shall receive one (1) step per certification earned

Exempt Employees

- Shall receive up to a two (2) percent annual salary increase per certification earned

Some examples of certifications (not all inclusive):

- Class A or B Driver's License
- Inmate Supervisor Certification
- Florida Association of Code Enforcement Certifications
- Professional in Human Resource Certification

Funding for Incentive Pay

Annually the Walton County BCC shall decide whether to allocate funding to the program through the Annual Budget process, any additional funding needed shall be approved by the BCC prior to the request.

Policy 5.10 – Merit Pay Increase

To be eligible for a merit increase, an employee must be employed with at least six months of continuous service before the merit award date.

An employee whose pay is at the maximum step of the grade scale, or the maximum of the salary band may not be granted an increase that would cause the base pay to exceed the maximum of the grade or range for that position without the Chief Financial Officer and County Administration approval.

Determination of Merit Increase

Supervisors and managers shall recommend merit-based pay increase for the following reasons:

- To retain an employee
- To reward an employee's performance beyond the annual increase
- Additional duties added to employee current position
- Major re-evaluation of current position
- Status change from PT to FT
- Lateral transfer at the Walton County BCC's request

Review and Approval of Request

Prior to approval the department director, the Chief Financial Officer, County Administration, and the Director of HR will:

- Review the reason for the request
- Review the employee's previous performance
- Confirm funding within the budget
- Consider previous similar requests throughout the Walton County BCC for consistency

Increase Rates

Nonexempt Employees

Request is not to exceed ten (10) steps on the **Nonexempt Step Plan**

Exempt Employees

Request is not to exceed twenty (20) percent increase to annual salary

Funding for Merit Pay

Annually the Walton County BCC shall decide whether to allocate funding to the program through the Annual Budget process, any additional funding needed shall be approved by the BCC prior to the request.

Policy 5.12 – Timesheet Violations

It is a violation of the Walton County BCC's policy for any employee to falsify their own payroll record or to alter another employee's payroll record without their approval. It is also a violation of Walton County BCC policy for any employee or manager to instruct another employee to falsely report hours worked or to alter another employee's payroll record to under or over report hours worked (or to fail to report any such misconduct). Report any violations of this policy immediately to your supervisor and the HR Department. It is not a violation of the Walton County BCC's policy for a supervisor, manager, or department director to make accurate corrections to a payroll record to ensure compliance with county policies.

Nonexempt employees shall not work any hours outside of their normal workday unless their supervisor has authorized the unscheduled work. Employees shall not start work early, finish work late, work during a meal break or perform any other extra or overtime work unless authorized to do so and that time is recorded on their payroll record. Employees are prohibited from performing any "off-the clock" work. "Off-the-clock" work means work performed but not reported on biweekly payroll records. Any employee who fails to report or inaccurately reports any hours worked may be subject to disciplinary action, up to and including termination of their employment.

Policy 8.2 – Promotions

All permanent full-time and part-time employees after successfully completing their training period of (6) six months of employment, shall be eligible for promotion or transfer to another department with the approval of both department directors and the Director of HR. Inter-departmental transfers may be approved before the initial training period is completed at the department director's discretion with the approval of the Director of HR.

Employees desiring a promotion and/or transfer to another position shall apply for a posted position by completing an application on the Walton County BCC Career Portal prior to the job posting end date.

Veteran's preference in promotion will be given in accordance with Chapter 295, *Florida Statutes*. Eligibility for preference in promotion shall apply only to a Veteran's first promotion after reinstatement or re-employment, without exception.

When an employee is promoted to a higher position, the employee shall be paid at a rate based on the guidelines set in **Policy 5.6 – Pay Upon Promotion or Demotion** and taking into consideration the circumstances surrounding, and the reasons for, the promotion. An employee receiving a promotion shall be required to serve a new training period pursuant to **Policy 3.9 – Training Period** based on the request of the department director.

EXHIBIT B



On 23 May 2024 I was contacted by Lindsey Kervin to inform me of a potentially unprofessional relationship between her husband Nathan Kervin and Tina McHenry. Mrs. Kervin stated she saw what she felt were inappropriate text messages between Mr. Kervin and Mrs. McHenry. I found her allegations to be concerning because during meetings with office members conducted January/February of 2024 Gladys Goodson and Sherrie Leddon both voiced concerns of favoritism, preferential treatment, and a hostile work environment due to what they believed to be an unprofessional relationship between Mr. Kervin, Mrs. McHenry, and Mrs. Tiffany Laird. On 21 February 2024 I addressed the perception of favoritism directly with Mr. Kervin. His response at the time was “that if anyone has a problem, they can speak to him about it”.

When I returned to work on 30 May 2024, I started my initial investigation into the allegations by conducting a thorough records review. I have identified two pay raises and a job promotion given to Mrs. McHenry by Mr. Kervin I had no knowledge of as her immediate supervisor. Mrs. McHenry was hired 02/13/2023 at the insistence of Mr. Kervin even though she had no human resources experience and did not in my opinion represent the best hiring choice, however given I had just been hired I was depending on Mr. Kervin’s experience/insistence as a basis for selecting Mrs. McHenry for the position. Mrs. McHenry was hired at a salary rate of \$51,864.75 annually for the position of HR Generalist. In July of 2023 another HR Generalist Mylan Hicks resigned and Mr. Kervin delegated numerous duties assigned to Mr. Hicks to both Mrs. McHenry and Mrs. Laird and in turn provided them with a temporary pay increase until the position Mr. Hicks left had been filled. Mrs. McHenry received a temporary pay increase of \$2,593.25 annually. Mrs. Kasey Cook and Mrs. Samantha Spain were hired 9 Oct 2023 and assumed the responsibilities which should have withdrawal the temporary pay increase for both Mrs. McHenry and Mrs. Laird but to my knowledge they are still receiving the monetary benefits for duties not performed.

On 2 May 2024 Mr. Kervin promoted Mrs. McHenry to Lead HR generalist, a job position that was created by Mr. Kervin on 20 February 2024 without my knowledge or the knowledge of anyone else within the county employment system. To my knowledge the position was not advertised to provide a fair and equal opportunity for competitive employment or hiring processes. Mrs. Cook and Mrs. Spain were both eligible to compete for the position but to my knowledge were not provided a fair opportunity for promotion. Mrs. McHenry was awarded a raise of \$5,976.00 increase in pay for the promotion.

On 14 April Gladys Goodson resigned specifically sighting the hostile work environment, discrimination, and favoritism as the reason for her resignation. Despite her being more qualified she felt Mr. Kervin was undermining and discriminating against her in favor of Mrs. McHenry. If Gladys Goodson was still employed for Walton Country Board of County Commissioners, she would have been a direct competitor for the duty position Mr. Kervin fabricated for Mrs. McHenry and based solely on experience/college education rightfully would have been the most eligible



candidate. Personally Mr. Kervin has withheld information from me regarding my direct subordinates and actions conducted by himself to reward them via pay increase/promotion. Mr. Kervin has also intentionally withheld information concerning human resource actions, effectively undermining my day-to-day business operations causing undue stress and anxiety for myself. I no longer feel welcome or safe in my own office. I believe Mr. Kervin has created a work environment of discrimination, hostility, unfair and dishonest business practices.

Shannon Jackson

Shannon K. Jackson
Human Resources Manager
Walton County Board of County Commissioners

EXHIBIT C



HUMAN RESOURCE GENERALIST

FLSA STATUS: Exempt

PAY GRADE: W21

JOB SUMMARY

Under the supervision of the Human Resources Manager; the Human Resource Generalist, organizes or assists in organizing and applying a variety of human resources or benefits plans and procedures for employees of the Walton County BCC. This position is assigned to several Walton County BCC departments and will be the primary contact responsible for department recruiting and staffing, employee relations, HR compliance, training and development, workers' compensation, and/or payroll.

ESSENTIAL JOB FUNCTIONS

The following statements describe the primary functions of this job and its scope of responsibility but should not be considered an all-inclusive listing of work requirements. Individuals may perform other duties as assigned, including working in other functional areas to cover absences or relief, to equalize peak work periods or otherwise to balance the workload.

- Assists in addressing a wide range of human resource issues, (i.e., recruiting and staffing, employee relations, HR compliance, training and development, worker's compensation, and/or payroll)
- Processes vacancies of county positions, including facilitating in person and virtual interviews, reviewing credentials, conducting background, reference, and education checks ensuring compliance with established state and federal laws and regulations, including the Americans with Disabilities Act, Veterans' Preference and EEO regulations
- Ensures and maintains compliance with federal and state regulations concerning Workers' Compensation, including effectively communicating and collaborating with employees, medical providers, and third-party administrators (TPAs); completing and processing all documentation in timely and accurate manners; keeping HR Director abreast of all significant developments about employee injuries, plan costs, changes in WC classification, etc.
- Assists in developing and administering employee training programs
- Maintains and or follow employment processes and procedures in compliance within all applicable state and federal law
- Assists in receiving, counseling, and resolving employee issues
- Collaborate as required with other HR employees or BCC staff in providing high-quality customer service and maintaining or updating HR-related BCC policies.
- Assist Benefits Coordinator in conducting annual open enrollments for health benefits
- Participates in administrative staff meetings and attends other meetings and seminars
- Adheres to work schedule and attendance requirements, including nights and weekends
- Performs other work as directed and required

KNOWLEDGE, SKILLS, AND ABILITIES

- Knowledge of employment and or risk management laws or tools to research and apply current law and best practices
- Skill in discerning and solving problems
- Ability to interpret and correctly apply departmental and BCC rules, regulations, policies, and procedures
- Ability to exercise good judgment
- Ability to work with sensitive information and maintain confidentiality
- Ability to manage competing priorities and quickly respond to customer inquiries
- Ability to work independently and in a team environment on routine assignments with minimal instructions meeting deadlines
- Ability to communicate effectively verbally and in writing



- Ability to establish and maintain effective, courteous working relationships with public officials, peers, other divisions and departments, and citizens
- Ability to remain calm in stressful situations and to take a teamwork approach to the job by cooperating with others, offering to help others when needed, and considering larger organization or team goals rather than individual concerns

QUALIFICATIONS, TRAINING AND EXPERIENCE

REQUIRED:

- Bachelor's degree from a regionally accredited college or university with a major in human resources, public administration, business management or a closely related field
- Two (2) or more years of professional experience in a professional human resources position
- Valid driver's license

PREFERRED:

- Professional in Human Resources (PHR) certification or equivalent
- Master's degree from a regionally accredited college or university with a major in human resources, public administration, business management or a closely related field

Note: An equivalent combination of education and experience may be considered as determined by the hiring manager and/or HR Director.

PHYSICAL DEMANDS AND WORK ENVIRONMENT

The following physical activities are necessary to perform one or more essential functions of this position. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential job functions. This position may be required to report for work when a declaration of emergency has been declared in Walton County.

Sits or stands long periods of time. Communicates effectively in person or by using telecommunications equipment. Creates documents, reports, etc., using a writing instrument (such as a pencil or pen) or computer. Grasps, turns, and manipulates objects of varying size and weight, requiring fine motor skills and hand-eye coordination. Moves, lifts, carries, and places objects weighing up to 25 pounds without assistance. Work is performed mostly in an office setting where the noise level is usually quiet. Travel between locations to effectively address the business needs of the department.

I HAVE READ, UNDERSTAND, AND HAVE THE ABILITY TO PERFORM THE ESSENTIAL FUNCTIONS OF THIS POSITION EITHER WITH OR WITHOUT REASONABLE ACCOMODATION.

EMPLOYEE PRINTED NAME

EMPLOYEE SIGNATURE

DATE



Lead Human Resource Generalist

Job Summary

The Lead Human Resource Generalist is responsible for running the daily functions of the Department of Human Resources including recruiting and staffing, employee relations, HR compliance, training and development, workers' compensation, payroll and enforcing policies and practices for employees of Walton County Board of County Commissioners. This position is assigned to several Walton County BCC departments and will be their primary contact.

Essential Job Functions

- Performs routine tasks required to administer and execute human resource programs including but not limited to compensation, disciplinary matters, performance and talent management, recognition, and training and development
- Provides guidance to other HR Generalist on HR processes and procedures including onboarding and training new HR Generalists
- Recruits, interviews, and facilitates the hiring of qualified job applicants for open positions; collaborates with departmental managers to understand skills and competencies required for openings
- Conducts or acquires background checks and employee eligibility verifications (credentials, references, education), ensuring compliance with established state and federal laws and regulations, including the Americans with Disabilities (ADA), Veterans' Preference and Employee Equal Opportunity (EEO) regulations
- Implements and conducts New Hire Orientations and assists with keeping the presentation up to date
- Ensures and maintains compliance with federal and state regulations concerning Workers' Compensation (WC), including communicating with employees, medical providers, and third-party administrators (TPAs); completing and processing all documentation, keeping senior leadership informed of all significant developments
- Maintains and/or follows employment processes and procedures in compliance within all applicable state and federal laws and regulations
- Collaborates with other HR employees or Walton County BCC staff in providing high quality customer service
- Assists Benefits Coordinator in conducting annual open enrollments and annual health screenings for health benefits, Florida Retirement System (FRS) actions, and retiree actions
- Participates in administrative staff meetings and attends other meetings and seminars
- Maintains confidentiality of sensitive information
- Adheres to work schedule and attendance requirements, including nights and weekends
- Performs other work as directed and required

Knowledge, Skills, and Abilities

- Knowledge of federal, state, and local employment-related laws and regulations
- Knowledge of trends, best practices, regulatory changes, and new technologies in human resources, talent management, and employment law
- Skill in analytics and problem-solving
- Skill in time management



- Ability to work independently and in a team environment on routine assignments with minimal instructions and meeting deadlines
- Ability to interpret and correctly apply departmental and BCC rules, regulations, policies, and procedures
- Ability to exercise good judgement
- Ability to act with integrity, professionalism, and confidentiality
- Ability to manage competing priorities and quickly respond to customer inquiries
- Ability to communicate effectively verbally and in writing
- Ability to establish and maintain effective, courteous working relationships with public officials, peers, other divisions and departments, and citizens
- Ability to remain calm in stressful situations and to take a teamwork approach to the job by cooperating with others, offering to help others when needed, and considering larger organization or team goals rather than individual concerns

Minimum Qualifications

Required:

- Bachelor's degree from a regionally accredited college or university with a major in human resources, public administration, business management, or similar field

AND

- Two (2) or more years of professional experience in a human resources role, or a closely related field

OR

- Six (6) or more years of professional experience in a human resources role, or a closely related field

AND

- Valid driver's license

Preferred:

- Master's degree from a regionally accredited college or university with a major in human resources, public administration, business management, or a closely related field
- Certification in Professional in Human Resources (PHR) or equivalent

Note: *At the discretion of the hiring manager and/or the Chief Human Resources Officer an equivalent combination of education and experience may be considered.*

Physical Demands and Work Environment

The following physical activities are necessary to perform one or more essential functions of this position. A reasonable accommodation may be made to enable individuals with disabilities to perform the essential job functions.

Sits or stands for long periods of time. Communicates effectively in person and/or by using telecommunications equipment. Creates documents, reports, etc., using a writing instrument (such as a pencil or pen) or computer. Grasps, turns, and manipulates objects of varying size and weight, requiring



fine motor skills and hand-eye coordination. Moves, lifts, carries, and places objects weighing up to 25 pounds without assistance. Work is performed mostly in an office setting where the noise level is usually quiet. Travel between locations to effectively address the organizational needs of the department.

This position may be required to report for work when a declaration of emergency has been declared in Walton County.

Effective Date: 05/04/2024

Department: Human Resources

Position #: 108949

Pay Plan: W22

Job Class: Employment Service Exempt

Personnel Status: Full Time Permanent

Position Reports to: Human Resource Manager

FSLA Status: Exempt (Administrative)

EEO Class: Professionals

EEO Function: Financial Administration

Safety Sensitive: No

I have read, understand, and can perform the essential functions of this position either with or without reasonable accommodation.

Employee Printed Name: _____

Employee Signature: _____

Today's Date: _____

EXHIBIT D

MUNIS ORG CHART

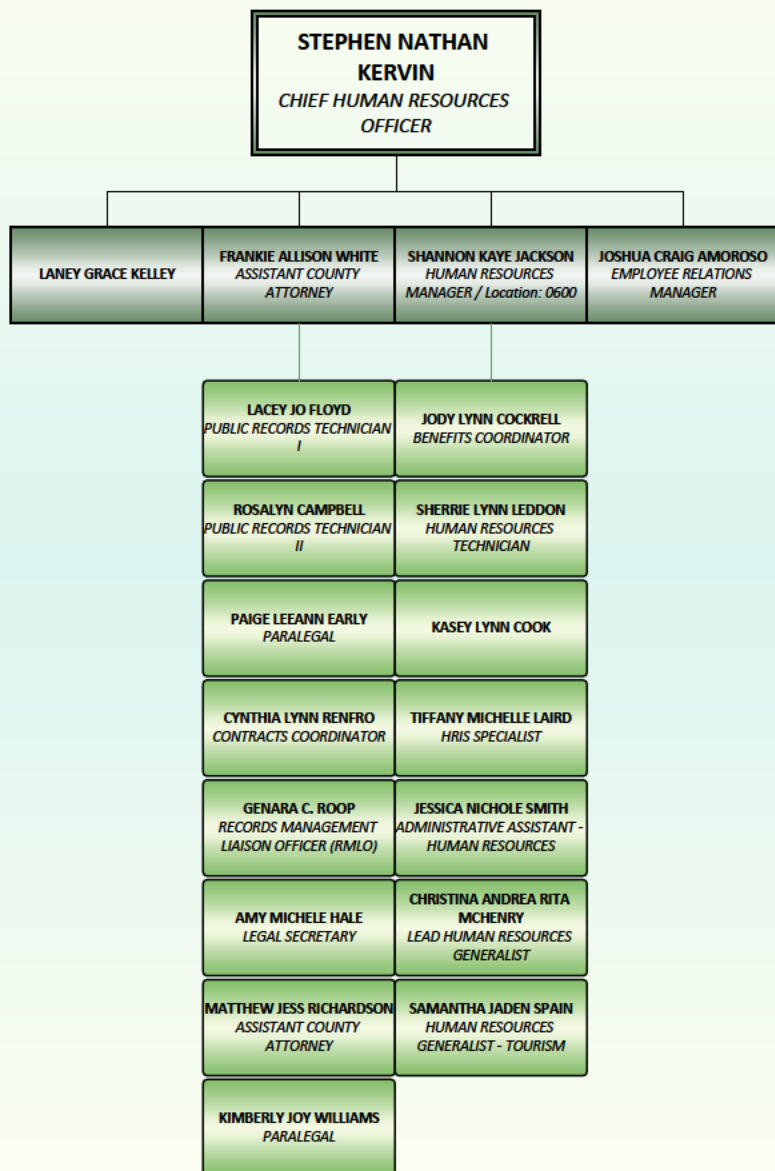


EXHIBIT E

MUNIS Search for Job Opening – Lead Human Resource Generalist

Job Openings [Walton County]

Regulation Identification

Regulation *
Description * LEAD HR GENERALIST
Status *
Entry Date *

Leading Candidate
Text Custom Data

Main Salary Advertising Restrictions Recruitment Steps Automatic Status Updates Custom Data

Regulation Type *
Employee
Hiring Manager(s) (1 Manager)
Recruiter(s) (1 Recruiter)
Job Class
Job Family
Start End

Positions

Position	Effective Date	Description	Filled	Frozen
----------	----------------	-------------	--------	--------

Location
Group/BU
Reference
Flag for Inclusivity Analysis

Requestor Details
Employee Name
Phone
Special Requirements

Job Opening Workflow
Workflow Status
My Approvals Approve Reject Hold Forward Approvers

0 of 0 |< >| No data available. The "Search" option was not used or it returned no data.

9:25 AM
6/4/2024

Job Openings [Walton County]

CreateSearchReviewAddUpdateDeleteOutputPrintDisplayPDFSaveEmailScheduleAttachRequirementsStatusEligibilityApplicationsCopyStatusStandingSurgeInformAppointPostingCandidatesInterviewGenerateCoveringsTransfer

Job Openings [Walton County]

Requisition Identification

Requisition *12601

Description *HRIS SPECIALIST

Status *6 - FILLEDEntry Date *06/27/2022

Leading CandidateTextCustom Data

MainSalaryAdvertisingRestrictionsRecruitment StepsAutomatic Status UpdatesCustom Data

Advertise

Employment Agency

PostInternalJob Specific Questions

Application1260 - HRIS SPECIALIST

Display Priority0

URL for Additional Info

URL Label

Applicant Reference EmailsM - ManuallyMark References As Verified

Create Pending Records

ESS Job DescriptionPosition Description Text

ESS Job Description LabelHRIS SPECIALIST

URL for Monster.com posting

Last Monster.com posting updateRemove Post

Posting Integrations

Integration CodeStart DateEnd Date

Job Opening Workflow

Workflow StatusY - APPROVED

My ApprovalsApproveRejectHoldForwardApprovers

1 of 1<>>

9:22 AM6/4/2024

Job Openings [Walton County]

Close

Search

Print

Jobs

Update

Delete

Output

Print

Display

PDF

Save

Email

Schedule

Attach

Requirements

Scores

Expirs

Applicants

Cop

Status

Pending

Purge

Inform

Applicant

Candidate

Generate

Post to

History

Job Openings [Walton County]

Requisition Identification

Requisition *

1260

+

1

-

Description *

HRIS SPECIALIST

Status *

6 - FILLED

Entry Date *

06/27/2022

Leading Candidate

Text

Custom Data

Main

Salary

Advertising

Restrictions

Recruitment Steps

Automatic Status Updates

Custom Data

Requisition Type *

New Position

Employee

0

Hiring Manager(s)

1252

(1 Manager)

KERVIN STEPHEN N

Recruiter(s)

1253

(1 Recruiter)

KERVIN STEPHEN N

Job Class

2700

EMPLOYMENT SERVICES

Job Family

2700 - EMPLOYMENT SERVICES

Start

06/28/2022

End

07/06/2022

Positions

Position	Effective Date	Description	Filled	Frozen
109827	06/27/2022	HRIS SPECIALIST	<input type="checkbox"/>	<input type="checkbox"/>

Location

0600 - HUMAN RESOURCES

Group/BU

BCC - ALL EMPLOYEES

Reference

☐ Flag for Inclusivity Analysis

Requestor Details

Employee

Name

Phone

Special Requirements

Job Opening Workflow

Workflow Status

Y - APPROVED

My Approvals

Approve

Reject

Hold

Forward

Approvers

1 of 1

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>

>>

9:23 AM

6/4/2024

EXHIBIT F

File Explorer window showing the directory path: **this PC > User Files (\\intranet.co.walton.fl.us) (W:) > Board of County Commissioners > Human Resources > Human Resources > 00 Job Descriptions 23.24 > 600.HR > New Formatted**

Name	Date modified	Type	Size
Nathan Edits	5/14/2024 3:07 PM	File folder	
Benefits Coordinator	5/14/2024 2:48 PM	Microsoft Word D...	82 KB
Chief Human Resources Officer	5/14/2024 3:07 PM	Microsoft Word D...	81 KB
Employee Relations Manager	4/29/2024 10:07 AM	Microsoft Word D...	81 KB
Employee Relations Manager	4/29/2024 10:07 AM	Microsoft Edge P...	229 KB
HR Admin Assistant	5/14/2024 2:33 PM	Microsoft Word D...	80 KB
HR Technician	5/14/2024 2:15 PM	Microsoft Word D...	81 KB
HRIS Specialist	5/14/2024 2:03 PM	Microsoft Word D...	82 KB
Human Resources Generalist - Tourism	5/14/2024 1:27 PM	Microsoft Word D...	82 KB
Human Resources Generalist	5/14/2024 12:29 PM	Microsoft Word D...	81 KB
Human Resources Manager	5/14/2024 3:06 PM	Microsoft Word D...	81 KB
Lead Human Resources Generalist	5/3/2024 12:53 PM	Microsoft Word D...	82 KB
Lead Human Resources Generalist	5/3/2024 12:33 PM	Microsoft Edge P...	229 KB

Lead Human Resources Generalist Properties

General Security Details Previous Versions

Property	Value
Description	
Title	
Subject	
Tags	
Categories	
Comments	
Origin	
Authors	Nathan Kevin
Last saved by	Nathan Kevin
Revision number	43
Version number	
Program name	Microsoft Office Word
Company	
Manager	
Content created	2/20/2024 9:28 AM
Date last saved	5/3/2024 12:53 PM
Last printed	5/3/2024 12:33 PM
Total editing time	05:44:00

[Remove Properties and Personal Information](#)

OK Cancel Apply

EXHIBIT G

Shannon Jackson

From: Gladys Goodson
Sent: Sunday, April 14, 2024 11:21 PM
To: Shannon Jackson
Subject: Resignation

Good evening,

I regret to submit my resignation from my position as HR Generalist at Walton County Board of County Commissioners. My last day of employment will be April 28, 2024.

Unfortunately, the lack of HR leadership response or support regarding interactions with two department directors, most recently my unanswered retaliation claim against Tony Cornman, and the amount of anxiety and stress it has caused me, I feel I am forced to resign.

I am disappointed by the outcome of events, as I planned to retire with the County.

I am grateful for my time here and the connections I've made and hope to be able to return in the future. I will use what I learned in my role in my future endeavors. I am happy to work on a transition plan during my remaining days.

Thank you for this opportunity, and I wish the BCC nothing but the best.

Sincerely,
Gladys Goodson, SHRM-CP



Gladys Goodson, SHRM-CP

Human Resources Generalist

Human Resources

Walton County Board of

Commissioners

45 N. 6th Street

DeFuniak Springs, FL 32433

Phone: 850-892-8586/Ext. 1818

www.co.walton.fl.us

Under Florida law, Florida Statutes 119.011, Chapter 2006-32, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by telephone or in writing.

HOW DID WE DO? In order to assist us in providing the highest level of Customer Service, please take the time to complete our short survey. [Walton County Customer Satisfaction Survey](#)

EXHIBIT H

From: Gladys Goodson
Sent: Monday, June 26, 2023 10:18 AM
To: Nathan Kervin <kernathan@co.walton.fl.us>
Cc: Gladys Goodson <googladys@co.walton.fl.us>; Shannon Jackson <jacshannon@co.walton.fl.us>
Subject: Public Works Concern

Good morning, Nathan,

I wanted to bring an issue to light and hopefully have a productive outcome.

On Thursday, 6/22/23, Mr. Justin Bolen and his coworker came in to provide a crash report for an alleged accident that occurred on 6/9/23. I asked Shannon to be present for my conversation with him.

Mr. Bolen stated one of our dump truck drivers hit his parked vehicle at the Love's truck stop on 285 in Mossy Head causing damage significant enough that his work vehicle is not operable. They provided numerous pictures of the accident.

Mr. Bolen stated he was desperate and didn't know where else to turn as his requests for assistance were not being addressed at the Public Works department.

Shannon and I discussed neither of us were previously made aware of the accident.

The details of the accident go much further than this email will address, as it is not the main focus.

- At Scott Caraway's request, he was scheduled to "meet" a contract laborer applicant. This was scheduled for 3:30.
- At 2:48 pm, I texted Scott to let him know the candidate was here and to ask for Mylan upon arrival as I would not be in the office.
- Shannon and I went to PW to view the vehicle and inquire whether Bob, Rae, or anyone else was aware of the incident. We viewed the vehicle and spoke with Bob – who then pulled in the foreman to discuss further.
- Upon finishing our conversation in Bob's office, we were told Buddy wanted to see us in his office. Shannon & I entered his office and Scott closed the door behind us.
- Buddy looked at me and began the conversation with "I wanted to let you know I went to Nathan about you." He informed me he was frustrated that we weren't getting any applicants. He then went on to state on multiple occasions that he "wish you would just stay in your lane and stop inserting yourself in business that doesn't pertain to you." We

discussed the open positions in PW and he stated he was “frustrated” because I have Bob Newsom “shook up” with my questions regarding the various accidents and the ongoing investigation. Buddy’s face was red and he was speaking in an aggressive tone, at times throwing his hands in the air while addressing me.

- I told Buddy I understood our priorities weren’t aligning for the moment and informed him I had just submitted 3 positions, they were in approval process and that I would work on posting the others next week (this week). I also let him know I’d been consumed with the recent activities.
- Scott wanted to discuss the details of what it takes to post an open position and asked if I could get some help. I referred him to speak with you. I added if that did not pan out, maybe there was a way an admin could help. Buddy stated he would supply administrative support if needed (just to post positions). Shannon explained the high-level steps, to which Scott began asking more detailed questions. I grew concerned and reverted my attention back to Buddy as he was visibly upset. It was then that I realized had Shannon not come with me, I would have been in a closed room with two men in powerful positions, one visibly upset with me, and unsure of the outcome.
- When we returned, Mylan came to my office to let me know how the “meet” went. He asked me if everything was ok, because once he let Scott and Buddy know I went to PW, they quickly gathered their belongings and “flew” out of the conference room – leaving Mylan & the candidate in there.

I told Buddy it was likely he still didn’t fully understand the nature of my role and that it’s not just the recruiting services I was previously providing. Regardless of how much recruiting is a priority, mitigating potential risk to the BCC takes priority over all else. I offered to share my job description with them and emailed it at the end of the day.

I have done what I can to attempt to build a trusting relationship with Public Works’ leadership but have not been able to succeed on any level. Since the transition, I have:

- requested a standing meeting on multiple occasions with both directors
- requested ride-alongs
- requested different ways to learn more about how PW operates as a whole

*None of these have been granted.

I’ve was nervous about my continued employment, anxious all weekend, and now fear being alone in their presence. Due to Buddy’s behavior in a closed office where I was the only intended attendee, I request additional HR presence for any future one on one meetings with PW leadership.

Nathan, if you know of any other methods I can use to help foster this relationship, or have any suggestions for me, please let me know. I will work with Shannon to help me prioritize my work. Otherwise, let me know if you have any questions or would like to discuss further.

Gladys



Gladys Goodson, SHRM-CP

Human Resources Generalist

Human Resources

Walton County Board of
Commissioners

45 N. 6th Street

DeFuniak Springs, FL 32433

Phone: 850-892-8586/E

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HOW DID WE DO? In order to assist us in providing the highest level of Customer Service, please take the time to complete our short survey. [Walton County Customer Satisfaction Survey](#)

EXHIBIT I



WALTON COUNTY
BOARD OF COUNTY COMMISSIONERS
PO BOX 1260
DEFUNIAK SPRINGS, FL 32435

Personal Action Notice

Change Form

HUMAN RESOURCE DEPARTMENT

Action:	SALARY CHANGE	Entry Date:	07/31/2023	Effective Date:	07/29/2023
Description:	SALARY CHANGE			Entered By:	hr-kernathan
Reason:	ADDITIONAL DUTIES			Position Number:	12345
Name:	CHRISTINA A MCHENRY			Employee Number:	2279
Address:	247 MILLER ROAD			Race:	CAUCASIAN
City/State/Zip:	DEFUNIAK SPRINGS, FL 32435			Gender:	F
Leave Date:		Hire Date:	02/13/2023	Service Date:	03/27/2008
		Return Date:		Length:	

NEW		PRIOR	
Job:	2701 - EMPLOYMENT SERVICES EXEMPT	Job:	2701 - EMPLOYMENT SERVICES EXEMPT
Position:	12345 - HUMAN RESOURCES GENERALIST	Position:	12345 - HUMAN RESOURCES GENERALIST
Department:	0600 - HUMAN RESOURCES	Department:	0600 - HUMAN RESOURCES
Status Code:	10 - FULL TIME PERMANENT	Status Code:	10 - FULL TIME PERMANENT
GL:	001-06-0600-513-00-0000-512000-	GL:	001-06-0600-513-00-0000-512000-
Salary Group:	BCC - ALL EMPLOYEES	Salary Group:	BCC - ALL EMPLOYEES
Grade / Step:	212 / 0	Grade / Step:	212 / 0
Start:	07/29/2023	Start:	02/13/2023
End:	12/31/9999	End:	12/31/9999

	JOB CLASS	ORG CODE	HOURLY RATE	PERIOD PAY	ANNUAL SALARY
Prior	2701 - EMPLOYMENT SERVICES EXEMPT	00106000	\$24.94	\$1,994.80	\$51,864.75
New	2701 - EMPLOYMENT SERVICES EXEMPT	00106000	\$26.18	\$2,094.54	\$54,458.00

Additional Pay:

ADMINISTRATION

Remarks:	SALARY TINA MCHENRY EFF. 7/29/23
Notes:	Additional duties due to Mylan's resignation.
	Additional Duties
	New Compensation
	Position: Human Resources Generalist (12345)
	Status: Full Time Permanent
	Grade: 212
	Step: Exempt
	Annual Rate: \$54,458.00
	Current Compensation
	Position: Human Resources Generalist (12345)
	Status: Full Time Permanent
	Grade: 212
	Step: Exempt
	Annual Rate: \$51,864.75
	Annual Increase: \$2,593.25
Workflow Status:	APPROVED

Director of Human Resources

Approved By: hr-kernathan - 07/31/2023

EXHIBIT J



WALTON COUNTY
BOARD OF COUNTY COMMISSIONERS
PO BOX 1260
DEFUNIAK SPRINGS, FL 32435

Personal Action Notice

Change Form

HUMAN RESOURCE DEPARTMENT

Action:	SALARY CHANGE	Entry Date:	07/31/2023	Effective Date:	07/29/2023
Description:	SALARY CHANGE			Entered By:	hr-kernathan
Reason:	ADDITIONAL DUTIES			Position Number:	108827
Name:	TIFFANY M LAIRD			Employee Number:	2034
Address:				Race:	CAUCASIAN
City/State/Zip:				Gender:	F
Leave Date:		Hire Date:	01/04/2022	Service Date:	01/04/2022
		Return Date:		Length:	

NEW		PRIOR	
Job:	2700 - EMPLOYMENT SERVICES	Job:	2700 - EMPLOYMENT SERVICES
Position:	108827 - HRIS SPECIALIST	Position:	108827 - HRIS SPECIALIST
Department:	0600 - HUMAN RESOURCES	Department:	0600 - HUMAN RESOURCES
Status Code:	10 - FULL TIME PERMANENT	Status Code:	10 - FULL TIME PERMANENT
GL:	001-06-0600-513-00-0000-512000-	GL:	001-06-0600-513-00-0000-512000-
Salary Group:	BCC - ALL EMPLOYEES	Salary Group:	BCC - ALL EMPLOYEES
Grade / Step:	107 / 13	Grade / Step:	107 / 12
Start:	07/29/2023	Start:	09/24/2022
End:	12/31/9999	End:	12/31/9999

	JOB CLASS	ORG CODE	HOURLY RATE	PERIOD PAY	ANNUAL SALARY
Prior	2700 - EMPLOYMENT SERVICES	00106000	\$20.99	\$1,679.20	\$43,659.20
New	2700 - EMPLOYMENT SERVICES	00106000	\$21.41	\$1,712.80	\$44,532.80

Additional Pay:

ADMINISTRATION

Remarks:	SALARY TIFFANY LAIRD EFF. 7/29/2023
Notes:	Additional duties due to Mylan's resignation Additional duties New Compensation Position: HRIS Specialist (108827) Status: Full Time Permanent Grade: 107 Step: 13 Annual Rate: \$44,532.80 Current Compensation Position: HRIS Specialist (108827) Status: Full Time Permanent Grade: 107 Step: 12 Annual Rate: \$43,659.20 Annual Increase: \$873.60
Workflow Status:	APPROVED

Director of Human Resources

Approved By: hr-kernathan - 07/31/2023

EXHIBIT K



WALTON COUNTY
BOARD OF COUNTY COMMISSIONERS
PO BOX 1260
DEFUNIAK SPRINGS, FL 32435

Personal Action Notice

Change Form

HUMAN RESOURCE DEPARTMENT

Action:	SALARY CHANGE	Entry Date:	11/06/2023	Effective Date:	11/04/2023
Description:	SALARY CHANGE			Entered By:	hr-laitiffany
Reason:	RECEIVED CERTIFICATION			Position Number:	12345
Name:	CHRISTINA A MCHENRY			Employee Number:	2279
Address:	247 MILLER ROAD			Race:	CAUCASIAN
City/State/Zip:	DEFUNIAK SPRINGS, FL 32435			Gender:	F
Leave Date:		Hire Date:	02/13/2023	Service Date:	03/27/2008
		Return Date:		Length:	

NEW		PRIOR	
Job:	2701 - EMPLOYMENT SERVICES EXEMPT	Job:	2701 - EMPLOYMENT SERVICES EXEMPT
Position:	12345 - HUMAN RESOURCES GENERALIST	Position:	12345 - HUMAN RESOURCES GENERALIST
Department:	0600 - HUMAN RESOURCES	Department:	0600 - HUMAN RESOURCES
Status Code:	10 - FULL TIME PERMANENT	Status Code:	10 - FULL TIME PERMANENT
GL:	001-06-0600-513-00-0000-512000-	GL:	001-06-0600-513-00-0000-512000-
Salary Group:	BCC - ALL EMPLOYEES	Salary Group:	BCC - ALL EMPLOYEES
Grade / Step:	W21 / 0	Grade / Step:	W21 / 0
Start:	11/04/2023	Start:	09/23/2023
End:	12/31/9999	End:	12/31/9999

	JOB CLASS	ORG CODE	HOURLY RATE	PERIOD PAY	ANNUAL SALARY
Prior	2701 - EMPLOYMENT SERVICES EXEMPT	00106000	\$28.17	\$2,253.37	\$58,587.51
New	2701 - EMPLOYMENT SERVICES EXEMPT	00106000	\$28.73	\$2,298.46	\$59,760.00

Additional Pay:

ADMINISTRATION

Remarks:	SALARY CHRISTINA MCHENRY EFF. 11/04/23
Notes:	Salary Change Received Certification Current Compensation Position: Human Resources Generalist (12345) Status: Full Time Permanent Grade: W21 Annual Rate: \$58,587.51 New Compensation Position: Human Resources Generalist (12345) Status: Full Time Permanent Grade: W21 Annual Rate: \$59,760.00 Annual Increase: \$1,172.49
Workflow Status:	APPROVED
Approved By:	hr-kernathan - 11/06/2023

Director of Human Resources

EXHIBIT L



WALTON COUNTY
BOARD OF COUNTY COMMISSIONERS
PO BOX 1260
DEFUNIAK SPRINGS, FL 32435

Personal Action Notice

Change Form

HUMAN RESOURCE DEPARTMENT

Action:	SALARY CHANGE	Entry Date:	05/13/2024	Effective Date:	05/04/2024
Description:	SALARY CHANGE			Entered By:	hr-laitiffany
Reason:	POSITION TITLE CHANGE			Position Number:	12345
Name:	CHRISTINA A MCHENRY			Employee Number:	2279
Address:	247 MILLER ROAD			Service Date:	03/27/2008
City/State/Zip:	DEFUNIAK SPRINGS, FL 32435			Length:	
Leave Date:		Hire Date:	02/13/2023		
		Return Date:			

NEW		PRIOR	
Job:	2701 - EMPLOYMENT SERVICES EXEMPT	Job:	2701 - EMPLOYMENT SERVICES EXEMPT
Position:	108949 - LEAD HUMAN RESOURCES GENERALIST	Position:	12345 - HUMAN RESOURCES GENERALIST
Department:	0600 - HUMAN RESOURCES	Department:	0600 - HUMAN RESOURCES
Status Code:	10 - FULL TIME PERMANENT	Status Code:	10 - FULL TIME PERMANENT
GL:	001-06-0600-513-00-0000-512000-	GL:	001-06-0600-513-00-0000-512000-
Salary Group:	BCC - ALL EMPLOYEES	Salary Group:	BCC - ALL EMPLOYEES
Grade / Step:	W22 / 0	Grade / Step:	W21 / 0
Start:	05/04/2024	Start:	11/04/2023
End:	12/31/9999	End:	12/31/9999

	JOB CLASS	ORG CODE	HOURLY RATE	PERIOD PAY	ANNUAL SALARY
Prior	2701 - EMPLOYMENT SERVICES EXEMPT	00106000	\$28.73	\$2,298.46	\$59,760.00
New	2701 - EMPLOYMENT SERVICES EXEMPT	00106000	\$31.60	\$2,528.31	\$65,736.00

Additional Pay:

ADMINISTRATION

Remarks:	SALARY CHRISTINA MCHENRY EFF. 05/04/24
Notes:	Salary Change Effective 05/04/24 Position title change Current Compensation Position: Human Resources Generalist (12345) Status: Full Time Permanent Annual Rate: \$59,760.00 New Compensation Position: Lead Human Resources Generalist (108949) Status: Full Time Permanent Nonexempt Grade: W22 Annual Rate: \$65,736.00 Annual Increase: \$5,976.00
Workflow Status:	APPROVED
Approved By:	hr-kernathan - 05/13/2024

Chief Human Resources Officer

EXHIBIT M



Merit Pay Request

Department of Human Resources

Walton County Board of County Commissioners

Overview:

This form should be filled out by the department head or HR Generalist and submitted to the Department of Human Resources to request a Merit Pay Increase for an employee. This will allow employees who meet the eligibility requirements for **Policy 5.10 – Merit Pay Increase** to obtain a pay increase with the proper approvals.

Today's Date: 5/2/2024

Department: Human Resources

Division: Human Resources

Employee Name: Tina McHenry

Employee ID: 2279

Employee Current Pay: \$59,760.00 annually

Current Position Title: Human Resources Generalist (12345)

Requested Position Title: Lead Human Resources Generalist (108949)

Requested Increase: 10% increase to \$65,736.00 (\$5,976.00)

Requested Effective Date: 5/04/2024

Reason for Request: Major re-evaluation of current position

Justification for Request:

On 4/26/2024 one of the HR Generalist resigned from the HR Department. Rather than fill the open position, we have decided to disseminate the departments they were responsible for to current HR Generalists. Tina has received the Planning Department and the Building Department which increases the number of Walton County BCC employees that she supports by 64 FTEs. This gives Tina a total of 10 departments, 8 divisions and a total of 261.5 FTEs. In addition to the added FTEs, Tina has taken on a lead role with the other HR Generalists providing support and guidance on processes and procedures.

I request the above merit increase per Policy 5.10 – Merit Pay Increase.

Department Head Printed Name: Nathan Kervin

Department Head Signature:

A handwritten signature in blue ink, appearing to read "Nathan Kervin", written over a horizontal line.



I approve the above merit increase per Policy 5.10 – Merit Pay Increase after consulting with the County Administrator and the CFO.

Chief Human Resources Officer Signature:

Approval Date:

5/3/2024

EXHIBIT N

Alexis R. Gay

From: Tina McHenry <mchtina@co.walton.fl.us>
Sent: Monday, June 24, 2024 7:35 AM
To: Alexis R. Gay
Cc: David A. Roberts; Shannon Sweeney
Subject: RE: Records Request

External sender. Use caution with links and attachments.

Good morning,
Due to recent allegations, harassing behavior, and discrimination against me, I have decided to seek legal counsel and will not participate further without legal representation.

Please provide me with a copy of the Garrity Agreement that I signed on 06/05/24.

Thank you,

Tina McHenry
Lead HR Generalist
Walton County Board of County Commissioners

From: Alexis R. Gay <agay@hgrslaw.com>
Sent: Thursday, June 20, 2024 3:11 PM
To: Tina McHenry <mchtina@co.walton.fl.us>
Cc: David A. Roberts <droboterts@hgrslaw.com>; Shannon Sweeney <ssweeney@hgrslaw.com>
Subject: Records Request

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms. McHenry,
Please see the attached correspondence on behalf of David A. Roberts.

Sincerely,

Alexis R. Gay

Associate Attorney

Hall Gilligan Roberts & Shanlever, LLP

850-468-4863 | agay@hgrslaw.com

Seagrove Beach Office | 850-213-0604 | 116 MC Davis Blvd Suite 200, Santa Rosa Beach, FL 32459

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EXHIBIT O

From: Tina McHenry <mchtina@co.walton.fl.us>

Sent: Thursday, June 27, 2024 2:30 PM

To: Stan Sunday <SunStan@co.walton.fl.us>

Subject: Complaint with documentation attached

Hi Stan,

I have thought long and hard about sending this email. I feel that you need to be made aware that I am being discriminated against, harassed, and retaliated against by Shannon Jackson, HR Manager. Her behavior towards me has changed drastically since the end of May.

Due to the most recent behavior, I feel you need to be informed. Since starting in the HR Department Gladys Goodson (previous employee) and Shannon had an issue with me, and I've had all I can handle at this point.

I am attaching the most recent emails to this as documentation, along with a screenshot of a conversation with Shannon this morning, 06/27/24 since I was sick and unable to go into work.

As you are aware, we have Assistant County Administrator interviews scheduled for 07/10. Mr. Eddy is coming in from NY to have this 2nd interview and I needed to send him reimbursement information for his travel expenses. I also had Planning Assistant interviews yesterday, in which I need to make an offer to a candidate. I also need to follow up with the Senior Planner that I've been in contact with for his employment information. These are things that cannot wait, as I am scheduled to take vacation tomorrow 06/28 and will be returning on 07/08. In order to finish up my duties before starting my vacation, I needed to send some emails in which I indicated in my text message to Shannon, which she responded that I am "not required or obliged to work from home" and she would have Tiffany change my time. There have been many instances in the past where myself, Kasey, Gladys (when she was employed), and even Shannon herself were allowed to work from home to complete necessary tasks.

Shannon's behavior towards me has changed drastically since 05/30 when she returned from vacation – this is when my job title changed and pay increase was effective. On 06/04 she left rather quickly for an "appointment" which she never says without detail, and on 06/05 I was called to have an interview with Dave Roberts regarding a complaint.

Since this time, she has questioned why she had an appointment on her calendar that I had scheduled but was not leaving early since I had cancelled it. She followed up with a cancellation response stating she had not received the cancellation and would be removing it from her calendar. The cancellation

for this event was sent by me on 06/06 at 6:43 a.m. and she approved the invite on 06/04 at 1:11 p.m. (See attachment)

I believe she had involved Josh Amoroso, Employee Relations Manager, to have him check if I arrived at the Citizens Academy on 06/05 on time. She also asked me on 06/06 "how it went and if they started on time" as if she is trying to find out if I'm reporting to my duties – she has never followed up with me in this manner before for any of my meetings/events. I told her that I had a work appointment and that I arrived around 5:30 so I could not tell her if it started on time.

She has denied me a change in my schedule after approving a previous change for myself (no extenuating circumstances), and schedule changes for Sherrie, Kasey, and Tiffany – all without extenuating circumstances. After I sent my request, she came into my office to ask me if I had any type of extenuating circumstance that would justify why I needed a change in schedule. I told her that I did not, and I was changing it because others in the office had been able to. (See email attached)

She has made comments about my performance and the need to "slowdown" and how she makes grammatical changes to my job descriptions. In one of the changes she added one word, "of" but stated she made "a few" changes. She also stated she would not approve job descriptions unless they match the MUNIS data – after Nathan had already approved me to make the change to a previous job description because the job descriptions are used interchangeably for the different statuses (Full-Time, Part-Time, or Seasonal Part-Time). She will also state she makes "grammatical changes" but never tells you what these changes are. (See email attached)

She also announced in our "weekly roundups" that weekend hours are not allowed to be worked – I am the only employee who has worked weekends recently and I can provide a time entry report to prove this. She stated that she needed to know of this prior to working, and listed swim lessons or events as an example. She was not aware that I had to participate as a victim to the lifeguards in training until I returned to work on the following Monday – as we didn't know until the day of that the trainer would not be able to fully train the lifeguards with only two participants. Please see the attachment and she also mentioned with the "recap" that we had discussed position numbers – this was not discussed during this weekly roundup meeting and was directed at me as well.

She also questioned me why I had not informed her of a recent addition to her approvals for the summer students assigned to the Clerk's Office. She was assigned these summer students last year and was aware I had been working to

get the summer students hired, when they had orientation, and at no time offered to help me at all during this entire process. (See email attached)

<image008.png>

I'm sorry to bother you with this. Please let me know if you need any additional information from me. Thanks!

Tina McHenry

Lead HR Generalist
Walton County Board of County Commissioners
45 N 6th Street
DeFuniak Springs, FL 32433
Phone: (850) 892-8586 ext. 1824
mchtina@co.walton.fl.us

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HOW DID WE DO? In order to assist us in providing the highest level of customer service, please take a moment and complete our brief survey. [Walton County Customer Service Satisfaction Survey](#)

6:03

LTE 86

Outlook

Shannon >

Today 5:27 AM

I'm not going to be in today. I've had a horrible migraine all morning. I have a few emails I need to send but I can do that from home at some point.

Good morning and sorry to hear that. I hope you feel better.

Since you've called in sick today you are not required or obliged to work from home so I'll have Tiffany correct your time entry for today to PTO.

I hope you feel better.

Text Message

Tina McHenry

From: Shannon Jackson
Sent: Tuesday, June 11, 2024 4:17 PM
To: Tina McHenry
Subject: RE: Summer Students: Lauren Carter and Callie Hulion

Thank you, I appreciate the heads up.

v/r

Shannon K. Jackson

Human Resources Manager

Walton County Board of County Commissioners
45 North 6th Street
DeFuniak Springs, FL 32433
Telephone: (850) 892-8586
jacshannon@co.walton.fl.us

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From: Tina McHenry <mchtina@co.walton.fl.us>
Sent: Tuesday, June 11, 2024 4:04 PM
To: Shannon Jackson <jacshannon@co.walton.fl.us>
Subject: RE: Summer Students: Lauren Carter and Callie Hulion

Hi Shannon,
The summer students assigned to the Clerk's Office were approved by you last year as well.

In the future, I'll let you know when those will be added for your approvals.

Thanks,

Tina McHenry

Lead HR Generalist
Walton County Board of County Commissioners

From: Shannon Jackson <jacshannon@co.walton.fl.us>
Sent: Tuesday, June 11, 2024 3:58 PM
To: Tina McHenry <mchtina@co.walton.fl.us>
Cc: Shannon Jackson <jacshannon@co.walton.fl.us>
Subject: Summer Students: Lauren Carter and Callie Hulion

Tina,

I have Lauren and Callie, summer students, showing up under my supervision/time entry approval. Please let me know why I wasn't informed of them being added to my responsibility. It'd be best if we ensure notification is made to those that will have added responsibilities while summer students are with us. Thank you.

v/r

Shannon K. Jackson

Human Resources Manager

Walton County Board of County Commissioners

45 North 6th Street

DeFuniak Springs, FL 32433

Telephone: (850) 892-8586

jacshannon@co.walton.fl.us

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Tina McHenry

From: Shannon Jackson
Sent: Tuesday, June 18, 2024 9:14 PM
To: Tina McHenry
Subject: RE: PERSONNEL REQUISITION APPROVAL/NOTIFICATION

Tina,

Job descriptions will match MUNIS data before they are approved by me.

v/r

Shannon K. Jackson

Human Resources Manager

Walton County Board of County Commissioners
45 North 6th Street
DeFuniak Springs, FL 32433
Telephone: (850) 892-8586
jacshannon@co.walton.fl.us

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From: Tina McHenry <mchtina@co.walton.fl.us>
Sent: Tuesday, June 18, 2024 1:16 PM
To: Shannon Jackson <jacshannon@co.walton.fl.us>
Subject: RE: PERSONNEL REQUISITION APPROVAL/NOTIFICATION

Hey Shannon,

The Golf Course Attendant position was the same one we've used in the past. I have another one that has multiple job numbers and PT/FT statuses as these are all used for the positions interchangeably and the text reflects if it is Seasonal/FT/PT.

See the one for the server below:

Position #: 108828 (FT), 108907 (PT)

Pay Plan: W01

Job Class: Parks & Recreation

I'm going to update all my job descriptions that have multiple statuses and position numbers to include these when I have the time with the verbiage above.

Thanks,

Tina McHenry

Lead HR Generalist
Walton County Board of County Commissioners

From: Shannon Jackson <jacshannon@co.walton.fl.us>
Sent: Tuesday, June 18, 2024 1:07 PM
To: Tina McHenry <mchtina@co.walton.fl.us>
Subject: FW: PERSONNEL REQUISITION APPROVAL/NOTIFICATION

Tina,

I reviewed and approved this position and the Seasonal Parks Maintenance Worker position. I made a few corrections on both job descriptions, please remember to slow down and double check the data you're inputting and grammar.

v/r

Shannon K. Jackson

Human Resources Manager

Walton County Board of County Commissioners
45 North 6th Street
DeFuniak Springs, FL 32433
Telephone: (850) 892-8586
jacshannon@co.walton.fl.us

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From: Munis Do Not Reply <munisdonotreply@co.walton.fl.us>
Sent: Tuesday, June 18, 2024 11:52 AM
To: Shannon Jackson <jacshannon@co.walton.fl.us>
Subject: PERSONNEL REQUISITION APPROVAL/NOTIFICATION

The following Personnel Requisition has been released:

Requisition: 1217 - 6
Hiring Managers: SHANE SUPPLE
Type: Replacement
Desc: GOLF COURSE ATTENDANT
Entry Date: 06/18/2024
Positions: 10906 - GOLF COURSE ATTENDANT
Location: 1201 - GOLF COURSE
Job Class: 4500 - PARKS & RECREATION
Leading Candidate:
Former Employee #: 2250
Former Employee: THOMAS, JILL E

Comments: This is a full-time position located at: Eagle Springs Golf and Recreation Park 171 Country Club Ln DeFuniak Springs, FL 32435 Flexible hours including evenings and weekends, are required!

This Personnel Requisition can be accessed for approval in the Personnel Requisitions program in Munis.

This is a Munis system generated message. Please do not reply to this unmonitored mailbox.

Walton County BCC

Tina McHenry

From: Shannon Jackson
Sent: Friday, June 21, 2024 8:14 AM
To: Jessica Smith; Jody L. Cockrell; Kasey Cook; Samantha Spain; Sherrie Leddon; Tiffany Laird; Tina McHenry
Cc: Joshua Amoroso; Nathan Kervin; Shannon Jackson
Subject: Weekly Roundup Recap 17-21 June 2024

Good Morning and Happy Friday!

- 25-28 June – Nathan out of the office attending FAC Conference
- 26-27 June – Shannon out of the office attending FAC Conference
- Kasey's work scheduled has adjusted for the summer, 6:00am-4:30pm
- Assure Hire's Criminal Self Disclosure - The product is available to include in your packages if you are interested, many candidates may feel the fear that their criminal history will be discovered eventually and would prefer to self-disclose. This can lead to a more honest and transparent process.

An example where this would help is if the candidate is on vacation outside of the county, they currently reside in that is not part of their SSN history and is charged with a crime. While the national criminal search can potentially catch this, the self-disclosure would allow us to add that county that is provided to the candidate's report as an additional layer of searching with your checks for reportable information. It is also used as an additional identifier for linking charges to a given individual to help ensure an accurate report is provided.

The price is + \$4.50 per order.

- After our discussion, the consensus was that this would not be beneficial to add to our current package. Our current background checks cover what is needed for screening candidates.
- Nathan, please let us know what your thoughts are.
- Work regularly scheduled workdays: weekends are not our regularly scheduled workdays, extenuating circumstances such as department events (example: lifeguard swim lessons, career fair). Please let me know if weekend work is needed in advance. Thank you.
- ******Missing Data Report: Please help Tiffany collect the missing data by reaching out to employees and asking them for the information in the orange highlighted empty fields. W:\Board of County Commissioners\Human Resources\Human Resources\15 HR Projects\Employee Profiles
- Reminders for Generalists:
 - Update job openings weekly
 - Track new hires 120-day evaluations
 - Job descriptions should be consistent with the instructions from Nathan and the template provided. Specific information will match MUNIS. There should not be multiple position numbers, personnel status, FLSA status per description. It may benefit you to have a job description template with multiple positions, that are interchangeable, to use as a master template to edit as needed.

- FRS questions will need to take place during the screening process of candidates

Notes from Kasey:

- Suggested smaller groups/multiple sessions for NHO/Benefits enrollment. Seeing better participation and understanding from employees and much easier to manage small group to complete all paperwork.
- 4 per group – Monday and Wednesday
- Benefits Enrollment – AM and PM session
- Working on creating a spreadsheet for tracking purposes and I will contact IT to see about fixing our outlook calendar

Notes Samantha:

- Newsletter: 3rd Quarter newsletter is complete and ready for review/finalize. We're going to keep Fun Facts page collection from Directors and departments to highlight all employees

Notes from Tina:

- Summer Students: Any suggestions for next year with making onboarding easier and will need additional help during onboarding.

Have a wonderful day and weekend.

v/r

Shannon K. Jackson

Human Resources Manager

Walton County Board of County Commissioners
45 North 6th Street
DeFuniak Springs, FL 32433
Telephone: (850) 892-8586
jacshannon@co.walton.fl.us

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Tina McHenry

From: Shannon Jackson
Sent: Tuesday, June 25, 2024 3:24 PM
To: Tina McHenry
Subject: RE: New Schedule/Appts

Hey Tina,

As we discussed please stay with our 7am regularly scheduled workday start time unless there is an extenuating circumstance hindering this. If a temporary work schedule change is needed, that can be arranged. Thank you.

v/r

Shannon K. Jackson

Human Resources Manager

Walton County Board of County Commissioners
45 North 6th Street
DeFuniak Springs, FL 32433
Telephone: (850) 892-8586
jacshannon@co.walton.fl.us

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From: Tina McHenry <mchtina@co.walton.fl.us>
Sent: Tuesday, June 25, 2024 3:00 PM
To: Shannon Jackson <jacshannon@co.walton.fl.us>
Subject: FW: New Schedule/Appts

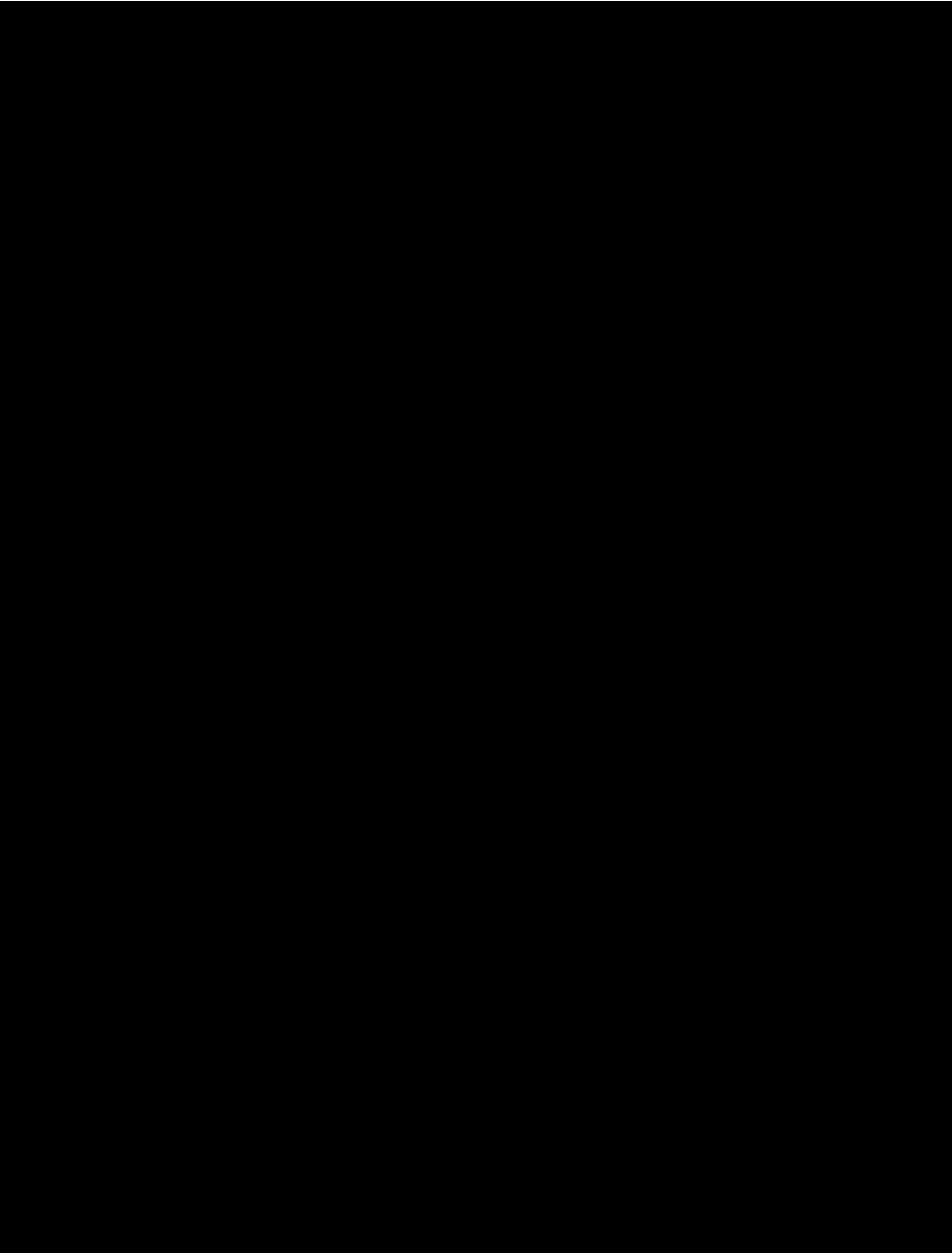
Sorry, I meant to include 6:30-3:30 starting when I return from vacation in July.

Tina McHenry

Lead HR Generalist
Walton County Board of County Commissioners

From: Tina McHenry
Sent: Tuesday, June 25, 2024 2:55 PM
To: Shannon Jackson <jacshannon@co.walton.fl.us>
Subject: New Schedule/Appts

Hi Shannon,
Please see my doctor's note below for my weekly scheduled appointments.



Also, would you be opposed to me changing my schedule from 6:30-3:30 M-Th, rather than 7-4?

Thanks,

Tina McHenry

Lead HR Generalist

Walton County Board of County Commissioners

45 N 6th Street

DeFuniak Springs, FL 32433

Phone: (850) 892-8586 ext. 1824

mchtina@co.walton.fl.us

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HOW DID WE DO? In order to assist us in providing the highest level of customer service, please take a moment and complete our brief survey.
[Walton County Customer Service Satisfaction Survey](#)

Tina McHenry

From: Shannon Jackson
Sent: Tuesday, June 11, 2024 8:30 AM
To: Tina McHenry
Subject: Declined: Tina - Early/Long Lunch

Didn't receive the cancellation, deleting from my calendar.

From: Shannon Jackson
To: Alexis R. Gay
Cc: David A. Roberts; clay@adkinsonlaw.com
Subject: RE: Documents Needed
Date: Monday, August 19, 2024 10:50:37 AM
Attachments: [Resignation Letter.pdf](#)

External sender. Use caution with links and attachments.

Good Morning,

Letting you know that for my own best interest, I have decided to resign from my position with the County. I will still be available to contact on my personal number after my departure if needed.

v/r

Shannon K. Jackson

Human Resources Manager

Walton County Board of County Commissioners

45 North 6th Street

DeFuniak Springs, FL 32433

Telephone: (850) 892-8586

jacshannon@co.walton.fl.us

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15 August 2024

Dear Nathan,

Please accept this letter as formal notification of my resignation as the Human Resources Manager at Walton County BCC. My last day will be Friday, September 6th, 2024.

Thank you for the opportunities and support in this position over the past 21 months. I've enjoyed getting to know and working with you, the HR team, colleagues and greatly appreciate the opportunity to learn about county government. During the next couple of weeks, I'll do everything possible to wrap up my duties and train other team members. Please let me know if I can be of any assistance during this transition. I wish the County continued success.

Sincerely,

Shannon Jackson

Shannon Jackson